[No. 279]

(SB 373)

AN ACT to amend 1927 PA 175, entitled "An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending section 34 of chapter IX, section 14 of chapter XI, and sections 1, 11, 12, 13, 14, 15, 16a, 16b, 16c, 16d, 16f, 16g, 16h, 16i, 16k, 16l, 16m, 16o, 16p, 16r, 16s, 16t, 16u, 16v, 16w, 16x, 16y, 16z, 17, 18, 19, 21, 22, 33, 35, 43, 48, 54, and 55 of chapter XVII (MCL 769.34, 771.14, 777.1, 777.11, 777.12, 777.13, 777.14, 777.15, 777.16a, 777.16b, 777.16c, 777.16d, 777.16f, 777.16g, 777.16h, 777.16i, 777.16k, 777.16*l*, 777.16m, 777.16o, 777.16p, 777.16r, 777.16s, 777.16t, 777.16u, 777.16v, 777.16w, 777.16x, 777.16y, 777.16z, 777.17, 777.18, 777.19, 777.21, 777.22, 777.33, 777.35, 777.43, 777.48, 777.54, and 777.55), section 34 of chapter IX as amended by 1999 PA 227, section 14 of chapter XI as amended and sections 1, 12, 14, 15, 16a, 16b, 16c, 16h, 16i, 16k, 16m, 16o, 16p, 16r, 16s, 16t, 16u, 16v, 16w, 16x, 16y, 18, 19, 21, 22, 33, 35, 54, and 55 of chapter XVII as added by 1998 PA 317, section 11 of chapter XVII as amended by 1999 PA 90, section 13 of chapter XVII as amended by 1999 PA 61, section 16d of chapter XVII as amended by 1999 PA 192, section 16f of chapter XVII as amended by 1999 PA 45, section 16g of chapter XVII as amended by 1999 PA 39, section 16I of chapter XVII as amended by 1999 PA 168, section 16z of chapter XVII as amended by 1999 PA 186, section 17 of chapter XVII as amended by 1999 PA 67, and sections 43 and 48 of chapter XVII as amended by 1999 PA 227.

The People of the State of Michigan enact:

CHAPTER IX

769.34 Sentencing guidelines; duties of court. [M.S.A. 28.1097(3.4)]

Sec. 34. (1) The sentencing guidelines promulgated by order of the Michigan supreme court shall not apply to felonies enumerated in part 2 of chapter XVII committed on or after January 1, 1999.

- (2) Except as otherwise provided in this subsection or for a departure from the appropriate minimum sentence range provided for under subsection (3), the minimum sentence imposed by a court of this state for a felony enumerated in part 2 of chapter XVII committed on or after January 1, 1999 shall be within the appropriate sentence range under the version of those sentencing guidelines in effect on the date the crime was committed. Both of the following apply to minimum sentences under this subsection:
- (a) If a statute mandates a minimum sentence for an individual sentenced to the jurisdiction of the department of corrections, the court shall impose sentence in accordance with that statute. Imposing a mandatory minimum sentence is not a departure under this section. If a statute mandates a minimum sentence for an individual sentenced to the jurisdiction of the department of corrections and the statute authorizes the sentencing judge to depart from that minimum sentence, imposing a sentence that exceeds the recommended sentence range but is less than the mandatory minimum sentence is not a departure under this section. If the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, mandates a minimum sentence for an individual sentenced to the jurisdiction of the department of corrections and the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, authorizes the sentencing judge to impose a sentence that is less than that minimum sentence, imposing a sentence that exceeds the recommended sentence range but is less than the mandatory minimum sentence is not a departure under this section.
- (b) The court shall not impose a minimum sentence, including a departure, that exceeds 2/3 of the statutory maximum sentence.
- (3) A court may depart from the appropriate sentence range established under the sentencing guidelines set forth in chapter XVII if the court has a substantial and compelling reason for that departure and states on the record the reasons for departure. All of the following apply to a departure:
- (a) The court shall not use an individual's gender, race, ethnicity, alienage, national origin, legal occupation, lack of employment, representation by appointed legal counsel, representation by retained legal counsel, appearance in propria persona, or religion to depart from the appropriate sentence range.
- (b) The court shall not base a departure on an offense characteristic or offender characteristic already taken into account in determining the appropriate sentence range unless the court finds from the facts contained in the court record, including the presentence investigation report, that the characteristic has been given inadequate or disproportionate weight.
 - (4) Intermediate sanctions shall be imposed under this chapter as follows:
- (a) If the upper limit of the recommended minimum sentence range for a defendant determined under the sentencing guidelines set forth in chapter XVII is 18 months or less, the court shall impose an intermediate sanction unless the court states on the record a substantial and compelling reason to sentence the individual to the jurisdiction of the department of corrections. An intermediate sanction may include a jail term that does not exceed the upper limit of the recommended minimum sentence range or 12 months, whichever is less.
- (b) If the offense is a violation of section 7401(2)(a)(iv) or 7403(2)(a)(iv) of the public health code, 1978 PA 368, MCL 333.7401 and 333.7403, and the upper limit of the recommended minimum sentence range is 18 months or less, the court shall impose a sentence of life probation absent a departure.
- (c) If an attempt to commit a felony designated in offense class H in part 2 of this chapter is punishable by imprisonment for more than 1 year, the court shall impose an intermediate sanction upon conviction of that offense absent a departure.

- (d) If the upper limit of the recommended minimum sentence exceeds 18 months and the lower limit of the recommended minimum sentence is 12 months or less, the court shall sentence the offender as follows absent a departure:
 - (i) To imprisonment with a minimum term within that range.
- (ii) To an intermediate sanction that may include a term of imprisonment of not more than 12 months.
- (5) If a crime has a mandatory determinant penalty or a mandatory penalty of life imprisonment, the court shall impose that penalty. This section does not apply to sentencing for that crime.
- (6) As part of the sentence, the court may also order the defendant to pay any combination of a fine, costs, or applicable assessments. The court shall order payment of restitution as provided by law.
- (7) If the trial court imposes on a defendant a minimum sentence that is longer or more severe than the appropriate sentence range, as part of the court's advice of the defendant's rights concerning appeal, the court shall advise the defendant orally and in writing that he or she may appeal the sentence as provided by law on grounds that it is longer or more severe than the appropriate sentence range.
- (8) All of the following shall be part of the record filed for an appeal of a sentence under this section:
 - (a) An entire record of the sentencing proceedings.
- (b) The presentence investigation report. Any portion of the presentence investigation report exempt from disclosure by law shall not be a public record.
 - (c) Any other reports or documents the sentencing court used in imposing sentence.
 - (9) An appeal of a sentence under this section does not stay execution of the sentence.
- (10) If a minimum sentence is within the appropriate guidelines sentence range, the court of appeals shall affirm that sentence and shall not remand for resentencing absent an error in scoring the sentencing guidelines or inaccurate information relied upon in determining the defendant's sentence. A party shall not raise on appeal an issue challenging the scoring of the sentencing guidelines or challenging the accuracy of information relied upon in determining a sentence that is within the appropriate guidelines sentence range unless the party has raised the issue at sentencing, in a proper motion for resentencing, or in a proper motion to remand filed in the court of appeals.
- (11) If, upon a review of the record, the court of appeals finds the trial court did not have a substantial and compelling reason for departing from the appropriate sentence range, the court shall remand the matter to the sentencing judge or another trial court judge for resentencing under this chapter.
- (12) Time served on the sentence appealed under this section is considered time served on any sentence imposed after remand.

CHAPTER XI

- 771.14 Presentence investigation report; contents; information exempted from disclosure; amendment or alteration; review of report; challenge; findings; copies. [M.S.A. 28.1144]
- Sec. 14. (1) Before the court sentences a person charged with a felony or a person who is a licensee or registrant under article 15 of the public health code, 1978 PA 368, MCL

333.16101 to 333.18838, as described in section 1(11) of chapter IX, and, if directed by the court, in any other case in which a person is charged with a misdemeanor within the jurisdiction of the court, the probation officer shall inquire into the antecedents, character, and circumstances of the person, and shall report in writing to the court.

- (2) A presentence investigation report prepared under subsection (1) shall include all of the following:
- (a) An evaluation of and a prognosis for the person's adjustment in the community based on factual information contained in the report.
- (b) If requested by a victim, any written impact statement submitted by the victim under the crime victim's rights act, 1985 PA 87, MCL 780.751 to 780.834.
- (c) A specific written recommendation for disposition based on the evaluation and other information as prescribed by the assistant director of the department of corrections in charge of probation.
- (d) A statement prepared by the prosecuting attorney as to whether consecutive sentencing is required or authorized by law.
- (e) For a person to be sentenced under the sentencing guidelines set forth in chapter XVII, all of the following:
- (i) For each conviction for which a consecutive sentence is authorized or required, the sentence grid in part 6 of chapter XVII that contains the recommended minimum sentence range.
- (ii) Unless otherwise provided in subparagraph (i), for each crime having the highest crime class, the sentence grid in part 6 of chapter XVII that contains the recommended minimum sentence range.
- (*iii*) Unless otherwise provided in subparagraph (*i*), the computation that determines the recommended minimum sentence range for the crime having the highest crime class.
- (iv) A specific statement as to the applicability of intermediate sanctions, as defined in section 31 of chapter IX.
 - (v) The recommended sentence.
- (f) If a person is to be sentenced for a felony or for a misdemeanor involving the illegal delivery, possession, or use of alcohol or a controlled substance, a statement that the person is licensed or registered under article 15 of the public health code, 1978 PA 368, MCL 333.16101 to 333.18838, if applicable.
- (g) Diagnostic opinions that are available and not exempted from disclosure under subsection (3).
- (3) The court may exempt from disclosure in the presentence investigation report information or a diagnostic opinion that might seriously disrupt a program of rehabilitation or sources of information obtained on a promise of confidentiality. If a part of the presentence investigation report is not disclosed, the court shall state on the record the reasons for its action and inform the defendant and his or her attorney that information has not been disclosed. The action of the court in exempting information from disclosure is subject to appellate review. Information or a diagnostic opinion exempted from disclosure pursuant to this subsection shall be specifically noted in the presentence investigation report.
- (4) If a prepared presentence investigation report is amended or altered before sentencing by the supervisor of the probation officer who prepared the report or by any

other person who has the authority to amend or alter a presentence investigation report, the probation officer may request that the court strike his or her name from the report and the court shall comply with that request.

- (5) The court shall permit the prosecutor, the defendant's attorney, and the defendant to review the presentence investigation report before sentencing.
- (6) At the time of sentencing, either party may challenge, on the record, the accuracy or relevancy of any information contained in the presentence investigation report. The court may order an adjournment to permit the parties to prepare a challenge or a response to a challenge. If the court finds on the record that the challenged information is inaccurate or irrelevant, that finding shall be made a part of the record, the presentence investigation report shall be amended, and the inaccurate or irrelevant information shall be stricken accordingly before the report is transmitted to the department of corrections.
- (7) On appeal, the defendant's attorney, or the defendant if proceeding pro se, shall be provided with a copy of the presentence investigation report and any attachments to the report with the exception of any information exempted from disclosure by the court under subsection (3).
- (8) If the person is committed to a state penal institution, a copy or amended copy of the presentence investigation report and, if a psychiatric examination of the person has been made for the court, a copy of the psychiatric report shall accompany the commitment papers. If the person is sentenced by fine or imprisonment or placed on probation or other disposition of his or her case is made by the court, a copy or amended copy of the presentence investigation report, including a psychiatric examination report made in the case, shall be filed with the department of corrections.
- (9) A prisoner under the jurisdiction of the department of corrections shall be provided with a copy of any presentence investigation report in the department's possession about that prisoner, except for information exempted from disclosure under subsection (3), not less than 30 days before a parole interview is conducted under section 35 of 1953 PA 232, MCL 791.235.

CHAPTER XVII

777.1 Definitions. [M.S.A. 28.1274(11)]

Sec. 1. As used in this chapter:

- (a) "Aircraft" means that term as defined in section 4 of the aeronautics code of the state of Michigan, 1945 PA 327, MCL 259.4.
 - (b) "Departure" means that term as defined in section 31 of chapter IX.
- (c) "Homicide" means any crime in which the death of a human being is an element of that crime.
 - (d) "Intermediate sanction" means that term as defined in section 31 of chapter IX.
- (e) "ORV" means that term as defined in section 81101 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.81101.
- (f) "Snowmobile" means that term as defined in section 82101 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.82101.
- (g) "Vehicle" means that term as defined in section 79 of the Michigan vehicle code, 1949 PA 300. MCL 257.49.
- (h) "Vessel" means that term as defined in section 80104 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.80104.

777.11 Chapters 1 to 199 of Michigan Compiled Laws; felonies to which chapter applicable. [M.S.A. 28.1274(21)]

Sec. 11. This chapter applies to the following felonies enumerated in chapters 1 to 199 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
4.421(1)	Pub trst	G	Lobbyists — compensation contingent on outcome of action	3
4.421(2)	Pub trst	G	Lobbyists giving gifts	3
18.366(1)	Property	Е	False presentation to crime victim services commission to obtain more than \$100	10
18.1268(9)	Pub trst	Н	Purposefully submitting false business certification	Fine
21.154	Pub trst	E	Public officer — embezzlement	5
28.214(4)(b)	Pub trst	F	Unauthorized disclosure of information from law enforcement information network — subsequent offense	4
28.293(1)	Pub ord	E	False information when applying for state ID	5
28.293(2)	Pub ord	D	False information when applying for state ID — second offense	7
28.293(3)	Pub ord	С	False information when applying for state ID — third or subsequent offense	15
28.295(1)(a)	Pub ord	Н	Forging state ID card to commit felony	4
28.295(3)	Property	Н	Using stolen state ID card to commit felony	Variable
28.295a(1)	Pub ord	Н	False representation to obtain or misuse personal information	4
28.295a(2)	Pub ord	G	False representation to obtain or misuse personal information — second offense	7
28.295a(3)	Pub ord	С	False representation to obtain or misuse personal information — third or subsequent offense	15
28.422	Pub saf	G	Pistols — license application forgery	4
28.729(1)(a)	Pub ord	F	Failure to register as a sex offender, first offense	4
28.729(1)(b)	Pub ord	D	Failure to register as a sex offender, second offense	7

28.729(1)(c)	Pub ord	D	Failure to register as a sex offender, third or	
35.929	Pub trst	Н	subsequent offense Willful falsification in applica-	10
35.980	Pub trst	Н	tion for veterans benefits False statement in application	3
35.1029	Pub trst	Н	for Korean veterans benefits False statement in application	3
38.412a(1)	Pub trst	Н	for Vietnam veterans benefits County employee providing answers to county civil	3
38.516	Pub trst	Н	service exam Fire and police civil service — appointment or employ-	1
45.82	Pub trst	Е	ment contrary to act County purchasing agent —	2
47.8	Pub trst	Н	violations in awarding bids or contracts Payment of claim against	5
47.56	Pub trst	Н	county before audit Wayne County treasurer	2
51.364	Pub trst	Н	paying claims without appropriate signature Appointment or selection	2
31.304	Pub tist	п	contrary to civil service commission rules	2
110.28	Pub trst	G	Fourth class cities — misappropriation of money or property	3
117.25(3)	Pub trst	Е	Amendment to city electors — willfully affixing another's	
125.1447	Property	G	signature, false rep Michigan state housing development authority —	15
168.731(4)	Pub trst	G	false pretenses over \$100 Election law — filing certain	10
168.734	Pub trst	G	false statements Election law — election board refusing to provide	2
168.756	Pub trst	Е	challenger conveniences Elector's false statement concerning inability to	2
168.757	Pub trst	Е	mark ballot Election inspector — unlawful	5
168.759(8)	Pub trst	Е	conduct Forged signature on absentee	5
168.759b	Pub trst	Е	ballot False statement in application	5
168.761(5)	Pub trst	E	for emergency absentee ballot Assisting an absentee voter in	5
200.101(0)	1 45 656		making a false statement	5

168.769(4)	Pub trst	E	Voting both in person and by absentee ballot	5
168.792a(11)	Pub trst	E	Disclosing how ballot voted or election results early	
			before polls are closed	5
168.792a(16)	Pub trst	Е	Disclosing election result or how ballot voted	5
168.808	Pub trst	E	Untrue statement by member	-
			of board of inspectors	4
168.873	Pub trst	E	Misconduct of election	
			employee in recount-county	
			and local	5
168.887	Pub trst	E	Misconduct of election	
			employee in recount	5
168.932(a)	Pub trst	E	Bribing or intimidating voters	5
168.932(b)	Pub trst	E	Ballot tampering	5
168.932(c)	Pub trst	E	Destroying or falsifying	
			election return or records	5
168.932(d)	Pub trst	E	Disclosing votes or obstructing	
			voter	5
168.932(e)	Pub trst	E	Absentee ballot tampering	5
168.932(f)	Pub trst	Е	Election law — possess absent voter ballot delivered to	
			another person	5
168.932(g)	Pub trst	E	Suggesting how a disabled	
			voter should vote	5
168.932(h)	Pub trst	E	Suggesting or influencing how	_
		_	an absentee voter should vote	5
168.932(i)	Pub trst	E	Organizing a meeting where	
			absentee voter ballots	-
100 000-	Deals Asset	C	are to be voted	5
168.932a	Pub trst	G	Election offenses	4
168.933	Pub trst	E	False swearing to register or vote	5
168.936	Pub trst	Е	Election law — perjury	5
168.937	Pub trst	E	Election law — forgery	5
169.254	Pub trst	H	Campaign finance — corporate	Ü
100.201	i do cisc	11	contributions	3
169.255	Pub trst	Н	Campaign finance — corporate	~
			solicitation for certain funds	3
169.266	Pub trst	Н	Campaign finance — qualified	
			campaign expenditures	3

777.12 Chapters 200 to 299 of Michigan Compiled Laws; felonies to which chapter applicable. [M.S.A. 28.1274(22)]

Sec. 12. This chapter applies to the following felonies enumerated in chapters 200 to 299 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
205.27(1)(a)	Pub trst	G	Failure to file or false tax	
			return or payment	5

205.27(1)(b)	Pub trst	G	Aiding and abetting tax	_
005 05(4)()	D.1		evasion or filing false returns	5
205.27(1)(c)	Pub trst	G	Making/permitting false tax	-
205 27(2)	Dub tost	G	returns or payments	5 15
205.27(3)	Pub trst Pub trst	G	False tax returns/perjury	15
205.28(1)(e)	Pubtrst	G	State employee compromising taxes	5
205.28(1)(f)	Pub trst	G	Unauthorized disclosure of tax	J
203.20(1)(1)	T ub tist	G	information	5
205.428(2)	Pub trst	G	Tobacco products tax act violations	5
205.428(3)	Pub trst	G	Illegal sale of cigarettes or	Ü
(-)			other tobacco products with	
			wholesale price of \$250.00 or more	5
205.428(6)	Pub trst	F	Illegal tobacco stamp or	
			tobacco stamp device	10
205.428(7)	Pub trst	G	Illegal vending machine license,	
			disk, or marker	5
207.118a	Pub ord	G	Gasoline tax — embezzlement	
			over \$100	10
207.119	Pub trst	G	Gasoline or motor fuel tax	
	- 1	~	violation	4
207.127c	Pub ord	G	Diesel fuel tax — embezzle-	10
007 77 4(0)	Deck took	C	ment over \$100	10
207.754(3)	Pub trst	G	State treasurer — municipality tax — divulging confidential	
			information	5
252.311	Property	Н	Destroying a tree or shrub to	J
202.011	Troperty		make a sign more visible	2
257.233a(7)	Pub ord	G	Odometer tampering	5
257.254	Property	Ē	Possessing stolen vehicle title	10
257.257(1)	Property	G	Altering or forging vehicle	
	1 0		documents — first offense	5
257.257(2)	Property	G	Altering or forging vehicle	
			documents — second offense	7
257.257(3)	Property	E	Altering or forging vehicle	
			documents — third or	
057 000(1)	ъ.		subsequent offense	15
257.329(1)	Property	G	Possession/sale of stolen or	
			counterfeit insurance	E
257.329(2)	Droporty	E	certificates Possession/sale of stolen or	5
231.323(2)	Property	E	counterfeit insurance	
			certificates — second offense	7
257.329(3)	Property	E	Possession/sale of stolen or	•
(-)		_	counterfeit insurance	
			certificates — third or	
			subsequent offense	15
257.602a(2)	Pub saf	G	Fleeing and eluding —	
			fourth degree	2
257.602a(3)	Pub saf	E	Fleeing and eluding —	
			third degree	5

257.602a(4)	Person	D	Fleeing and eluding —	10
257.602a(5)	Person	С	second degree Fleeing and eluding —	10
			first degree	15
257.617	Person	E	Failure to stop at scene of a	
			serious personal injury accident	5
257.625(4)	Person	С	Operating a vehicle under the	J
201.020(4)	1 (13011	C	influence or while impaired	
			causing death	15
257.625(5)	Person	E	Operating a vehicle under the	
			influence or while impaired	
			causing serious impairment of body function	5
257.625(7)(a)(<i>ii</i>)	Person	E	Operating a vehicle under the	J
201.020(1)(4)(11)	1 015011		influence or while impaired	
			with a minor in the vehicle —	
			subsequent offense	5
257.625(8)(c)	Pub saf	E	Operating a vehicle under the	
			influence — third or subsequent offense	5
257.625(9)(b)	Person	Е	Allowing a vehicle to be	O
		_	operated while under the	
			influence or impaired causing	
222 222 (2) ()	_	~	death	5
257.625(9)(c)	Person	G	Allowing a vehicle to be	
			operated while under the influence or impaired causing	
			serious impairment	2
257.625(10)(c)	Pub saf	E	Impaired driving — third or	
			subsequent offense	5
257.625k(7)	Pub saf	D	Knowingly providing false	
			information concerning an ignition interlock device	10
257.625k(9)	Pub saf	D	Failure to report that an	10
			ignition interlock device	
			does not meet legal require-	
057 005 (5)	D 1 0	-	ments	10
257.625m(5)	Pub saf	Е	Commercial drunk driving — third or subsequent offense	5
257.744a	Pub saf	D	False statement in citation —	J
207.71Iu	i ub sui	D	perjury	15
257.902	Pub saf	E	Motor vehicle code violations	5
257.903(1)	Property	E	Motor vehicle code — false	
	_	_	certification — first offense	5
257.903(2)	Property	E	Motor vehicle code — false certification — second offense	7
257.903(3)	Property	D	Motor vehicle code — false	1
201.000(0)	Toperty	ט	certification — third or	
			subsequent offense	15

257.904(4)	Person	C	Operating a vehicle without a	15
257 004(5)	Person	Е	license causing death Operating a vehicle without a	15
257.904(5)	Person	E	license causing serious	
			impairment	5
257.904(7)	Person	G	Allowing a vehicle to be	
			operated without a license	
	D.	-	causing serious impairment	2
	Person	Е	Allowing a vehicle to be operated without a license	
			causing death	5
257.1353(2)	Pub trst	Н	Motor vehicle — fail to record	Ü
			material matter —	
			subsequent offense	2
257.1354(2)	Pub trst	Н	Motor vehicle — general	
			violations — subsequent offense	2
257.1355	Pub trst	Н	Motor vehicle — fail to record	2
201.1000	1 ub tist		transaction/falsify records	2
259.183	Property	E	Aircraft — unlawful taking or	
	1 0		tampering	5
259.185(4)	Person	C	Operating or serving as crew	
			of aircraft while under	1.5
259.185(8)	Pub saf	G	the influence causing death Operating or serving as crew	15
233.103(0)	i ub sai	u	of aircraft while under	
			the influence — third or	
			subsequent offense	5
285.82	Pub trst	Н	Grain dealers act violations	5
285.279	Pub trst	Е	Falsely obtaining money —	10
286.455(2)	Pub saf	G	agricultural land Agriculture — hazardous	10
200.433(2)	i ub sai	ď	substance	5
287.77(1)	Pub saf	Н	Agriculture — livestock	
			condemnation	4
287.323(1)	Person	C	Dangerous animal causing death	15
287.323(2)	Person	G	Dangerous animal causing	4
287.679	Pub ord	Н	serious injury Dead animals	4 1
287.744(1)	Pub ord	G	Animal industry act violations	5
287.855	Pub saf	G	Agriculture — contaminating	Ü
			livestock/false	
			statement/violation of	
00% 00%(%)	D 1 1		quarantine	5
287.967(5)	Pub ord Pub saf	G G	Cervidae producer violation	4
288.223	rub Sai	G	Sale or labeling of oleomar- garine violations	3
288.257	Pub saf	G	Margarine violations	3
288.284	Pub trst	Н	Selling falsely branded cheese	2
289.5107(2)	Pub saf	F	Adulterated, misbranded, or	
			falsely identified food	4

290.629(1)	Person	G	Weights and measures —	
. ,			assaults enforcement officer	2
290.631(3)	Pub trst	G	Weights and measures	5
290.650	Person	G	Motor fuels — assaulting/	
			obstructing director or	
			authorized representative	2
290.650b(3)	Pub trst	Н	Motor fuels violations	2

777.13 Chapter 300 to 399 of Michigan Compiled Laws; felonies to which chapter applicable. [M.S.A. 28.1274(23)]

Sec. 13. This chapter applies to the following felonies enumerated in chapters 300 to 399 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
324.1608	Person	G	Resisting and obstructing conservation officer	2
324.2157(3)	Property	Н	State owned property —	
			damages of \$1,000 or more	180 days
324.3115(2)	Pub saf	Н	Waste discharge violations — second offense	0
224 5521(4)	Pub saf	Н		2 2
324.5531(4) 324.5531(5)	Pub sai Pub saf	G	Knowingly releasing pollutants Knowingly releasing	۷
324.3331(3)	r ub sai	G	pollutants— causing death or serious bodily injury	6
324.5531(6)	Pub saf	C	Knowingly releasing	
			pollutants — resulting in	
			death or serious bodily injury	15
324.8905(2)	Pub saf	Н	Infectious waste/pathological waste/sharps — littering	2
224 2005 (2)	Pub saf	G	violation	۷
324.8905(3)	Pub sai	G	Infectious waste/pathological waste/sharps — littering	
			violation — second offense	5
324.11151(2)	Pub saf	Н	Hazardous waste violations —	J
324.11131(2)	i ub sai	11	second or subsequent offense	2
324.11151(3)	Pub saf	Н	Hazardous waste violation —	~
021.11101(0)	i do sai		with disregard for human	
			life	2
324.11151(3)	Pub saf	G	Hazardous waste violation —	
` '			with extreme indifference	
			for human life	5
324.12116(2)	Pub saf	Н	Waste — false statement or	
			entry in a license application	2
324.20139(3)	Pub saf	Н	Hazardous waste — knowingly	
			releases or causes the release	2
324.21324(1)	Pub saf	G	Underground storage tanks —	
			false or misleading	
			information	5
324.21548(1)	Pub trst	Н	False statement, report, claim,	
			bid, work invoice, or	_
			other request for payment	5

324.30316(3)	Pub saf	Н	NREPA violation — subse-	
	_	_	quent offense	2
324.31525	Person	G	NREPA — imminent danger	
			of death or serious	0
004.00000(1)	D.1		injury — subsequent offense	2
324.33939(1)	Pub trst	Н	NREPA violation for	2
224 40110(11)	Pub ord	G	commercial purposes Wildlife conservation —	۷
324.40118(11)	Pub oru	G	buying selling protected	
			animals — subsequent offense	4
324.51120(2)	Property	Н	Removing forest products over	4
J24.J1120(2)	Troperty	11	\$2,500	3
324.51512	Pub saf	D	Willfully setting forest fires	10
324.52908(3)	Property	Н	Illegally cutting, removing, or	10
021.02000(0)	Troperty		transporting tree or other	
			plant involving \$1,000 or	
			more	180 days
324.61511	Pub trst	G	False affidavit under NREPA	5
324.61521(1)	Pub trst	G	Evading rule under NREPA	3
324.76107(4)	Pub trst	G	Recovering abandoned	
			property in Great Lakes	
			without permit	2
324.80130d(1)	Pub ord	Н	False representation to obtain	
			personal information	4
324.80130d(2)	Pub ord	G	False representation to obtain	
			personal information —	_
004 00400 1/0	D. 1.		second offense	7
324.80130d(3)	Pub ord	С	False representation to obtain	
			personal information —	1.7
324.80172	Person	G	third or subsequent offense	15
324.00172	Person	G	Negligent crippling or homicide by vessel	2
324.80173	Person	G	Felonious operation of a vessel	2
324.80176(4)	Person	C	Operating a vessel under the	۵
324.00170(4)	1 (13011	C	influence causing death	15
324.80176(5)	Person	E	Operating a vessel under the	10
		_	influence causing long-term	
			incapacitating injury	5
324.80177(1)(c)	Pub saf	E	Operating a vessel under the	
			influence — third or	
			subsequent offense	5
324.80319a(1)	Pub ord	Н	False representation to obtain	
			personal information	4
324.80319a(2)	Pub ord	G	False representation to obtain	
			personal information —	
		_	second offense	7
324.80319a(3)	Pub ord	С	False representation to obtain	
			personal information —	15
294 01190/1\	Dub and	11	third or subsequent offense	15
324.81120(1)	Pub ord	Н	False representation to obtain	4
			personal information	4

324.81120(2)	Pub ord	G	False representation to obtain personal information —	~
324.81120(3)	Pub ord	С	second offense False representation to obtain personal information —	7
324.81134(6)	Pub saf	Е	third or subsequent offense Operating an ORV under the influence — third or	15
324.81134(7)	Person	C	subsequent offense Operating an ORV under the influence causing death	4 15
324.81134(8)	Person	Е	Operating an ORV under the influence causing serious	
324.82126c(1)	Person	G	impairment Operating a snowmobile care- lessly or negligently causing death or serious	5
324.82126C(2)	Person	G	impairment Operating a snowmobile with- out regard to safety	2
224 22127(4)	Person	С	causing serious impairment Operating a snowmobile under	2
324.82127(4)	1 613011	C	the influence causing death	15
324.82127(5)	Person	Е	Operating a snowmobile under the influence causing long-term incapacitating	
			injury	5
324.82128(1)(c)	Pub saf	Е	Operating a snowmobile under the influence — third or	5
324.82160(1)	Pub ord	Н	subsequent offense False representation to obtain	3
004.001.00(0)	D.I. I	0	personal information	4
324.82160(2)	Pub ord	G	False representation to obtain personal information — second offense	7
324.82160(3)	Pub ord	С	False representation to obtain personal information —	•
220 222	Duanantes	E	third or subsequent offense	15
328.232 333.2685	Property Person	E E	Conversion of funeral contracts Use of a live human embryo, fetus for nontherapeutic	5
333.2688	Person	Е	research Research on dead embryo or fetus without mother's	5
222 222	D	-	consent	5
333.2689 333.2690	Person Person	E E	Abortion to obtain embryo Sale or delivery of fetus or embryo	5 5
333.2813(3)	Pub trst	F	Unauthorized disclosure of social security number —	-
			subsequent offense	4

333.2835(9)	Pub trst	G	Disclosing confidential information — abortion	3
333.5210	Person	F	AIDS — sexual penetration with uninformed partner	4
333.5661	Person	F	Fraud resulting in patient death	4
333.7341(8)	CS	G	Delivery or manufacture of	
			imitation controlled	
			substance	2
333.7401(2)(a)(<i>i</i>)	CS	A	Delivery or manufacture of 650 or more grams of certain schedule 1 or 2	
			controlled substances	Life
333.7401(2)(a)(<i>ii</i>)	CS	A	Delivery or manufacture of 225 or more but less than 650 grams of certain schedule 1 or 2	00
000 7401(0)()(***)	CC	ъ	controlled substances	30
333.7401(2)(a)(<i>iii</i>)	CS	В	Delivery or manufacture of 50 or more but less than 225 grams of certain schedule 1 or 2 controlled substances	20
333.7401(2)(a)(<i>iv</i>)	CS	D	Delivery or manufacture of less	20
			than 50 grams of certain	
			schedule 1 or 2 controlled	
		_	substances	20
333.7401(2)(b)	CS	Е	Delivery or manufacture of schedule 1, 2, or 3 controlled substance except marijuana	7
333.7401(2)(c)	CS	F	Delivery or manufacture of	
(),()			schedule 4 controlled	
			substance	4
333.7401(2)(d)(<i>i</i>)	CS	С	Delivery or manufacture of 45 or more kilograms of marijuana	15
333.7401(2)(d)(<i>ii</i>)	CS	D	Delivery or manufacture of 5	13
330.7 401 (ε) (α) (Π)	CS	Б	or more but less than 45 kilograms of marijuana	7
333.7401(2)(d)(<i>iii</i>)	CS	F	Delivery or manufacture of	
			less than 5 kilograms or 20 plants of marijuana	4
333.7401(2)(e)	CS	G	Delivery or manufacture of	
			schedule 5 controlled substance	2
333.7401(2)(f)	CS	D	Delivery or manufacture of an	۵
000.7 101 (2)(1)		ע	official or counterfeit	
			prescription form	20
333.7401(2)(g)	CS	D	Delivery or manufacture of	
			prescription or counterfeit	~
			form (other than official)	7

333.7401a	Person	В	Delivering a controlled substance with intent to commit	
333.7402(2)(a)	CS	D	criminal sexual conduct Delivery or manufacture of an	20
333.740£(£)(a)	CS	D	imitation controlled substance	10
333.7402(2)(b)	CS	E	Delivery or manufacture of schedule 1, 2, or 3 imitation controlled substance	5
333.7402(2)(c)	CS	F	Delivery or manufacture of imitation schedule 4	3
333.7402(2)(d)	CS	G	controlled substance Delivery or manufacture of imitation schedule 5	4
333.7402(2)(e)	CS	С	controlled substance Delivery or manufacture of	2
333.7402(2)(6)	CS	C	controlled substance analogue	15
333.7403(2)(a)(<i>i</i>)	CS	A	Possession of 650 or more grams of certain schedule 1 or 2 controlled substances	
000 7400(0)(-)(#	CC	Δ.	by juvenile Possession of 225 or more but	Life
333.7403(2)(a)(<i>ii</i>)	CS	A	less than 650 grams of certain schedule 1 or 2 controlled substances	30
333.7403(2)(a)(<i>iii</i>)	CS	В	Possession of 50 or more but less than 225 grams of certain schedule 1 or 2	30
333.7403(2)(a)(<i>iv</i>)	CS	G	controlled substances Possession of 25 or more but less than 50 grams of certain schedule 1 or 2	20
333.7403(2)(a)(v)	CS	G	controlled substances Possession of less than 25 grams of certain schedule 1	4
333.7403(2)(b)	CS	G	or 2 controlled substances Possession of certain schedule 1, 2, 3, or 4 controlled substances or controlled	4
333.7403(2)(e)	CS	Н	substances analogue Possession of official prescription	2
333.7405(a)	CS	G	form Controlled substance violations	1
		-	by licensee	2
333.7405(b)	CS	G	Manufacturing or distribution violations by licensee	2
333.7405(c)	CS	G	Refusing lawful inspection	2
333.7405(d)	CS	G	Maintaining drug house	2
333.7407(1)(a)	CS	G	Controlled substance violations by licensee	4
333.7407(1)(b)	CS	G	Use of fictitious, revoked, or suspended license number	4

333.7407(1)(c)	CS	G	Obtaining controlled substance	4
333.7407(1)(d)	CS	G	by fraud False reports under controlled	4
000.7 107 (1) (u)	65	a	substance article	4
333.7407(1)(e)	CS	G	Possession of counterfeiting	
000 7407(1)(0	CC	г	implements	4
333.7407(1)(f)	CS	F	Disclosing or obtaining prescription information	4
333.7407(1)(g)	CS	F	Possession of counterfeit	•
_			prescription form	4
333.7407(2)	CS	G	Refusing to furnish records	
			under controlled substance article	4
333.7410A	CS	G	Controlled substance offense	•
			in or near a park	2
333.10204(1)	Pub ord	F	Transferring a human organ	4
333.10204(4)	Pub saf	F	for valuable consideration Removal of a human organ by	4
333.10204(4)	i ub sai	1.	an unauthorized individual	4
333.10205	Pub saf	F	Removal of a human organ in	
000 10700(0)	D 1 0	-	an unapproved facility	4
333.13738(2)	Pub saf	F	Waste disposal violations — second offense	5
333.13738(3)	Pub saf	F	Disposing of waste —	3
		_	indifference to human life	2
	Pub saf	В	Disposing of waste — extreme	
222 16170(2)	Pub trst	F	indifference to human life	20
333.16170(3)	Pub trst	Г	False representation — health professional recovery	
			program	4
333.16294	Pub saf	F	Health profession —	
000 17700 - (0)	CC	E	unauthorized practice	4
333.17766a(2)	CS	F	Possession of steroids — subsequent offense	4
333.17766a(3)	CS	E	Delivery or manufacture of	•
			steroids	7
333.17766a(4)	CS	G	Delivery of imitation steroids	7
333.17766c(2)	CS	G	Possession of more than 10 grams ephedrine	2
333.20142(5)	Pub trst	F	False statement — application	~
			licensure health facility	4
333.21792	Pub trst	G	Nursing homes — referral	
			fees/bribing officials/ accepting bribes	4
338.3434A(2)	Pub trst	F	Unauthorized disclosure of a	-1
, ,			social security number —	
200 000	D. l	г	subsequent offense	4
388.936	Pub trst	F	Knowingly making false state- ment — school district loans	4
388.962	Pub trst	F	Knowingly making false state-	-11
			ment — school district loans	4

777.14 Chapters 400 to 499 of Michigan Compiled Laws; felonies to which chapter applicable. [M.S.A. 28.1274(24)]

Sec. 14. This chapter applies to the following felonies enumerated in chapters 400 to 499 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
400.60(2)	Property	Н	Welfare — obtaining over \$500 by failure to inform	4
400.603	Pub trst	G	Medicaid fraud — false	4
100.000	T ub cibe	Ğ	statement in benefit/	
			concealing information	4
400.604	Pub trst	G	Medicaid fraud — kickback/	
			referral fees	4
400.605	Pub trst	G	Medicaid fraud — false state-	
400.000	ъ.	-	ment regarding institutions	4
400.606	Property	E	Medicaid fraud — conspiracy Medicaid fraud — false claim/	10
400.607	Pub trst	G		4
400.609	Property	D	medically unnecessary Medicaid fraud — fourth or	4
400.003	Troperty	D	subsequent offense	10
400.713(13)	Pub saf	Н	Adult foster care — unlicensed	10
			facility — first offense	2
	Pub saf	F	Adult foster care — unlicensed	
			facility — second or subse-	
			quent violation	5
400.722(4)	Pub saf	F	Adult foster care — main-	
			taining operation after refusal of licensure	5
408 1035(5)	Person	Н	MIOSHA violation causing	3
408.1035(5)	1 615011	11	employee death	1
	Person	G	MIOSHA violation causing	-
		_	employee death —	
			subsequent offense	3
408.1035a(5)	Person	Н	MIOSHA violation causing	
			employee death	1
	Person	G	MIOSHA violation causing	
			employee death —	3
409.122(2)	Person	G	subsequent offense Employment of children during	3
409.122(2)	reison	G	certain hours — second	
			offense	2
	Person	E	Employment of children during	
			certain hours — third or	
			subsequent offense	10
409.122(3)	Person	D	Employment of children in	
			child sexually abusive	0.0
491 54(a)(34(D)	Duonante	11	activity	20
421.54(a)(<i>ii</i>)(B)	Property	Н	Unemployment comp fraud — failure to comply	
			with act/rule \$25,000-\$100,000	2
			4001410 920,000 9100,000	~

421.54(a)(<i>ii</i>)(C)	Property	G	Unemployment comp fraud — failure to comply	
			with act/rule over \$100,000	5
421.54(a)(<i>iv</i>)(B)	Property	Н	Unemployment comp fraud — willful violation of	3
			act/rule over \$100,000	2
421.54(b)(<i>ii</i>)(B)	Property	Н	Unemployment comp fraud — false statement or	
			misrepresent over \$25,000	2
421.54(b)(<i>ii</i>)(C)	Property	Н	Unemployment comp fraud — false statement or misrepresentation without	
			actual loss	2
421.54(d)	Property	Н	Unemployment comp fraud — disclose confidential	1
421.54a	Property	G	information for financial gain Unemployment comp fraud —	1
4£1.J4a	Troperty	G	false statement as condition	
			of employment	10
421.54b(b)(<i>î</i>)	Property	Н	Unemployment comp fraud — conspiracy with loss of	
401 741 (1) (1)	D .	0	\$25,000 or less	2
421.54b(b)(<i>ii</i>)	Property	G	Unemployment comp fraud — conspiracy with loss over \$25,000	5
421.54b(b)(<i>iii</i>)	Property	Н	Unemployment comp fraud —	O
	T · J		conspiracy with no actual loss	2
421.54c(b)(<i>ii</i>)	Property	Н	Unemployment comp fraud — embezzlement of \$25,000 to	
101 71 (1)(11)	_	~	under \$100,000	2
421.54c(b)(<i>iii</i>)	Property	G	Unemployment comp fraud — embezzlement of \$100,000	5
421.54c(b)(<i>iv</i>)	Property	Н	or more Unemployment comp fraud —	Э
121.010(0)(11)	Troperty	11	embezzlement with no actual loss	2
431.257	Pub trst	G	Racing, boxing and exhibition	
			racing	2
431.307(8)	Pub trst	G	Horse racing — testifying falsely to commissioner while	4
431.330(4)	Pub trst	G	under oath Horse racing — administering	4
431.330(4)	i ub tist	ď	a drug that could affect racing condition	5
431.332	Pub trst	G	Horse racing — influencing or attempting to influence	
432.30	Property	G	result of race Lottery — forgery of tickets	5 5
432.218	Pub ord	D	Casino gaming offenses	10
436.1701(2)	Person	D	Selling alcohol to a minor and	10
-00.1.01(w)	1 015011	_	causing death	10

436.1909(3)	Pub ord	Н	Liquor violation	1
436.1919	Pub ord	Н	Fraudulent documents, labels,	
			or stamps	1
438.41	Property	E	Criminal usury	5
440.9307(4)	Property	G	Farming — illegal sale of	2
442.219	Pub trst	Е	secured products Sales — false statement	3 5
443.50	Pub trst	E	Issuing warehouse receipt for	J
110.00	i ub tist		goods not received	5
443.52	Pub trst	E	Issuing duplicate warehouse	-
			receipt not so marked	5
444.13	Pub trst	Н	Warehousemen and warehouse	
			receipts	2
444.107	Pub trst	E	Warehouse certificates — will-	_
445 405(0)	D.I. I		fully alter or destroy	5
445.487(2)	Pub ord	Н	Precious metal and gem dealer failure to record material	
			matter — subsequent offense	2
445.488(2)	Pub ord	Н	Precious metal and gem dealer	۵
110.100(2)	r ub oru		violations — subsequent	
			offense	2
445.489	Pub ord	Н	Precious metal and gem dealer	
			violations	2
445.490	Pub ord	Н	Precious metal and gem dealer	
			failure to obtain a	
445 770	D.I. I		certificate of registration	2
445.779	Pub ord Pub trst	H G	Antitrust violation	2
445.1505	Pub trst	G	Franchise investment law — fraudulent filing/offers	7
445.1508	Pub trst	G	Franchise investment law —	,
110.1000	r ub crbc	a	sale without proper	
			disclosure	7
445.1513	Pub trst	G	Franchise investment law —	
			illegal offers/sales	7
445.1520	Pub trst	G	Franchise investment law —	
445 4504	D.1	0	keeping records	7
445.1521	Pub trst	G	Franchise investment law —	~
445.1523	Pub trst	G	false representation Franchise investment law —	7
443.1323	1 ub tist	ď	false statements of	
			material fact	7
445.1525	Pub trst	G	Franchise investment law —	·
			false advertising	7
445.1528	Pub trst	D	Pyramid/chain promotions —	
			offer or sell	7
445.1671	Pub trst	E	Mortgage brokers, lenders —	
			knowingly giving a false	4 5
AAE 1670	Duk tost	11	statement Montgogo brokers out	15
445.1679	Pub trst	Н	Mortgage brokers act — general violations	3
450.775	Pub ord	Н	Corporations — minority and	J
100.110	1 45 014	11	woman owned businesses	2

450.795	Pub ord	Н	Corporations — handicapper	0
451.319	Pub trst	G	business opportunity act Securities, real estate, and	2
			debt management —	_
451 404	Deck toot		violation	2
451.434	Pub trst	Н	Debt management act — licensee violations	2
451.501	Pub trst	Е	Blue sky laws — fraudulent	۵
			schemes/statements	10
451.502	Pub trst	E	Blue sky laws — investment	
451 500	Deck toot	E	advisor/agent fraud	10
451.503	Pub trst	E	Blue sky laws — make/sell false bullion/certificates	10
451.601	Pub trst	Е	Blue sky laws — unregistered	10
			broker/dealer/agent/	
		_	advisor	10
451.603(h)	Pub trst	E	Blue sky laws — fail to notify administrator of sanctions	10
451.604(a)(1)(J) to			administrator of sanctions	10
(S) and (V) to (Z)	Pub trst	Е	Blue sky laws — various	
			violations	10
451.701	Pub trst	Е	Blue sky laws — offer/sell	
451 000	D.1	-	unregistered securities	10
451.802	Pub trst	E	Blue sky laws — unlawfully selling securities	10
451.804	Pub trst	Е	Blue sky laws — willful false	10
			statements	10
451.805(b)	Pub trst	E	Blue sky laws — false repre-	
			sentation of administrative	10
451.806(b)	Pub trst	E	approval Blue sky laws — improper	10
431.000(b)	i ub tist	L	disclosure by cor and	
			sec bur employee	10
462.257(1)	Person	A	Trains — endangering travel	Life
462.353(5)	Pub saf	F	Operating a locomotive under	
			the influence — third or subsequent offense	4
472.36	Pub saf	Α	Street railways — obstruction	4
112.00	1 db bai	**	of track	Life
482.44	Property	Н	Bills of lading — issuance for	
	_		goods not received	5
482.46	Property	Н	Bills of lading — issuance of duplicate not so marked	5
482.48	Property	Н	Bills of lading — negotiation	J
102.10	Troperty	**	when goods not in	
			carriers' possession	5
482.49	Property	Н	Bills of lading — inducing	
			carrier to issue when	۳
482.50	Property	Н	goods have not been received Bills of lading — issuance of	5
100.00	Toperty	11	non-negotiable bill not	
			so marked	5

483.226	Pub trst	Е	Officer of a pipeline company— intent to defraud — stock	10
487.1505(6)	Pub trst	E	BIDCO act — knowingly receiving money or property at an interest rate	
			exceeding 25%	5
492.137(a)	Pub trst	Н	Installment sales of motor vehicles	3
493.56a(13)	Pub trst	C	False statement in reports —	
			secondary mortgage	15
493.77(2)	Pub trst	Н	Regulatory loans	3

777.15 Chapters 500 to 749 of Michigan Compiled Laws; felonies to which chapter applicable. [M.S.A. 28.1274(25)]

Sec. 15. This chapter applies to the following felonies enumerated in chapters 500 to 749 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
500.1325(3)	Pub trst	E	Insurance code — knowingly misrepresenting false	r
F00 1071	Dili		financial condition	5
500.1371	Pub trst	H C	Holding companies — violation	2
500.1505(2)	Pub trst	C	Insurance code — license and	15
E00 4E11(1)	Pub trst	F	regulatory violations Insurance code — fraudulent	13
500.4511(1)	Pub tist	Г	insurance code — ir audulent insurance act	4
500.4511(2)	Pub trst	D	Insurance fraud — agreement	4
300.4311(<i>ω</i>)	i ub tist	D	or conspiracy to commit	10
500.5252(4)	Property	G	Insurance — improper personal	10
000.0202(1)	Troperty	ď	interest in transactions	5
500.7034(2)	Pub trst	E	Officer of a MEWA knowingly	Ü
00011(2)	1 45 6156	_	receive valuables for	
			sale property or loan	10
500.8197(2)	Pub trst	C	Insurance — knowing or willful	
			false statements in	
			application for insurance	15
500.8197(3)	Property	E	Consolidation merger —	
			compensation otherwise	
			than expressed in contract	5
551.6	Person	Н	Marriage license — mental or	
			venereal disease	5
551.102(2)	Pub trst	F	Unauthorized disclosure of	
			social security number —	
~~ 4 000	ъ.	-	subsequent offense	4
554.836	Property	Ε	Real and property — living	~
rer 071	D	G	care disclosure act	7
565.371	Property	G	Fraudulent conveyances — recording with intent to	
			deceive	3
565.827	Pub trst	E	Land sales act — false or	
			fraudulent statement	10
570.152	Property	G	Contractor — fraudulent use	
	-		of building contract fund	3

570.1110	Property	F	Contractor — false sworn statements over \$100	4
570.1207	Property	G	Construction liens — false	
000 000(0)	D.L.	-	information	4
600.908(8)	Pub trst	E	Immunity to witness —	15
600.2136	Pub trst	Е	committing perjury Library record, book, paper —	13
000.2100	i ub tist	L	false certification in court	15
600.2907a	Property	G	Recording documents affecting	
	1 3		property without lawful	
			cause	3
600.2916	Pub saf	G	Revised judicature act —	
000 0710	D.1	0	lethal gases for fumigation	4
600.8713	Pub trst	G	Revised judicature act — false	
			statement by authorized local officials	15
600.8813	Pub trst	Е	Law enforcement officer —	10
000.0010	i ub tibt		knowingly making false	
			statement in a citation	15
710.54(11)	Pub trst	F	Offer to give other considera-	
			ation — adoption — subsequent	
			violation	4
710.55(1)	Pub trst	F	Adoption — persons not	
			authorized placing child —	4
710.69	Person	F	subsequent violation Michigan adoption law —	4
710.03	1 613011	1	subsequent offense	4
711.1(8)	Pub trst	E	Intentional false statement in	•
,			petition for name change	15
712A.6B(3)	Pub ord	G	Violation of court order —	
			subsequent conviction	2
722.633(5)(b)	Person	F	Intentional false report of child	
799 675	Duk and	Е	abuse constituting a felony	4
722.675	Pub ord	E	Distributing obscene matter to children	2
722.857	Person	Е	Surrogate parenting act —	۵
	1 015011	_	contracts involving	
			minors, mentally retarded,	
			etc.	5
722.859(3)	Person	E	Surrogate parenting act —	
			contracts for compensation	5

777.16a §§ 750.11 to 750.32; felonies to which chapter applicable. [M.S.A. 28.1274(26a)]

Sec. 16a. This chapter applies to the following felonies enumerated in chapter 750 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
750.11	Person	A	Taking a woman and compelling	
			her to marry	Life
750.12	Person	Н	Taking a woman with intent to	
			compel her to marry	10

750.13	Person	D	Enticing female under 16 for	
750.15	1 (13011	Ъ	immoral purposes	10
750.14	Person	C	Abortion resulting in death of	
			female	15
	Person	G	Abortion	4
750.30	Pub ord	Н	Adultery	4
750.32	Pub ord	Н	Cohabitation of divorced parties	4

777.16b §§ 750.49 to 750.68; felonies to which chapter applicable. [M.S.A. 28.1274(26b)]

Sec. 16b. This chapter applies to the following felonies enumerated in chapter 750 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
750.49(2)(a) to (d)	Pub ord	F	Fighting animals or providing facilities for animal fights	4
750.49(2)(e)	Pub ord	F	Organizing or promoting animal fights	4
750.49(2)(f)	Pub ord	Н	Attending animal fight	4
750.49(2)(g)	Pub ord	F	Breeding or selling fighting animals	4
750.49(2)(h)	Pub ord	F	Selling or possessing equip- ment for animal fights	4
750.49(8)	Person	A	Inciting fighting animal resulting in death	Life
750.49(9)	Person	F	Inciting fighting animal to attack	4
750.49(10)	Person	D	Fighting animal attacking without provocation	-
			and death resulting	15
750.50(4)	Pub ord	G	Animal neglect or cruelty — second offense	2
	Pub ord	F	Animal neglect or cruelty — third or subsequent offense	4
750.50b(2)	Property	F	Killing or torturing animals	4
750.50c(5)	Pub ord	Е	Killing or causing serious physical harm to law	r
750.50c(7)	Pub saf	Н	enforcement animal Harassing or causing harm to law enforcement animal while committing	5
			crime	2
750.68	Property	G	Changing brands with intent to steal	4

777.16c §§ 750.72 to 750.80; felonies to which chapter applicable. [M.S.A. 28.1274(26c)]

Sec. 16c. This chapter applies to the following felonies enumerated in chapter 750 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
750.72	Person	В	Arson of a dwelling house	20
750.73	Property	D	Arson of real property	10

750.74	Person	E	Arson of personal property having a value of \$1,000 to \$20,000 or with prior convictions	5
750.74(1)(d)	Person	D	Arson of personal property of \$20,000 or more	
~ro ~r	ъ.	ъ	or with prior convictions	10
750.75	Property	D	Arson of insured property	10
750.77(1)(c)	Person	E	Preparing to burn personal property having a value of \$1,000 to \$20,000 or with	5
750.77(1)(d)	Person	D	prior convictions Preparing to burn personal property of \$20,000 or more or with prior convictions	10
750.78	Pub saf	F	Arson of woods and prairies	4
750.79	Pub saf	F	Violating township rules concerning clearing of land	-
			and burning	4
750.80	Property	D	Arson of mines	Life

777.16d §§ 750.81 to 750.91; felonies to which chapter applicable. [M.S.A. 28.1274(26d)]

Sec. 16d. This chapter applies to the following felonies enumerated in chapter 750 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
750.81(4)	Person	G	Domestic assault with prior convictions	2
750.81a(3)	Person	G	Aggravated domestic assault with prior convictions	2
750.82(1)	Person	F	Felonious assault	4
750.82(2)	Person	F	Felonious assault — weapon- free school zone	4
750.83	Person	Α	Assault with intent to murder	Life
750.84	Person	D	Assault with intent to do great bodily harm less	
			than murder	10
750.86	Person	D	Assault with intent to maim	10
750.87	Person	D	Assault with intent to commit a felony	10
750.88	Person	C	Assault with intent to commit unarmed robbery	15
750.89	Person	A	Assault with intent to commit armed robbery	Life
750.90	Person	D	Sexual intercourse under pretext of medical treatment	10
750.90a	Person	A	Assault against a pregnant individual causing miscarriage or stillbirth with	
			intent or recklessness	Life

750.90b(a)	Person	C	Assault against a pregnant individual resulting in miscarriage or stillbirth	15
750.90b(b)	Person	D	Assault against a pregnant individual resulting in great bodily harm to embryo or fetus	10
750.90c(a)	Person	С	Gross negligence against a pregnant individual resulting	
750.90c(b)	Person	Е	in miscarriage or stillbirth Gross negligence against a pregnant individual resulting in great bodily	15
750.90d(a)	Person	С	harm to embryo or fetus Operating a vehicle under the influence or while impaired causing miscarriage or stillbirth	5 15
750.90d(b)	Person	Е	Operating a vehicle under the influence or while impaired causing serious or aggravated	
750.90e	Person	G	injury to embryo or fetus Careless or reckless driving causing miscarriage or stillbirth	5
750.90g(3)	Person	A	Performance of procedure on live infant with intent to	2
770.01	D		cause death	Life
750.91	Person	Α	Attempted murder	Life

777.16f §§ 750.110 to 750.131a; felonies to which chapter applicable. [M.S.A. 28.1274(26f)]

Sec. 16f. This chapter applies to the following felonies enumerated in chapter 750 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
750.110	Property	D	Breaking and entering with	
			intent to commit felony	
			or larceny	10
750.110a(2)	Person	В	Home invasion — first degree	20
750.110a(3)	Person	C	Home invasion — second degree	15
750.110a(4)	Person	E	Home invasion — third degree	5
750.111	Property	E	Entering without breaking	
			with intent to commit	
			felony or larceny	5
750.112	Person	A	Burglary with explosives	Life
750.116	Property	E	Possession of burglar's tools	10
750.117	Pub trst	F	Bribing a public officer	4
750.118	Pub trst	D	Public officer accepting bribe	10
750.119	Pub trst	F	Bribing a juror or other person	4
750.120	Pub trst	F	Juror or other person accepting	
			a bribe	4
750.121	Pub trst	F	Bribing a public officer to	
			influence contract	4

750.124	Pub trst	G	Bribing an athlete	4
750.128	Pub ord	Н	Bucket shop violation	2
750.131(3)(b)(<i>ii</i>)	Property	G	NSF checks — \$100 to \$500 —	
			third or subsequent offense	2
750.131(3)(c)	Property	G	NSF checks — \$500 or more	2
750.131a(1)	Property	Н	No account checks	2
750.131a(2)	Property	Н	NSF checks, 3 or more within	
			10 days	2

777.16g §§ 750.135 to 750.147b; felonies to which chapter applicable. [M.S.A. 28.1274(26g)]

Sec. 16g. (1) This chapter applies to the following felonies enumerated in chapter 750 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
750.135	Person	D	Exposing children with intent to injure or abandon	10
750.136b(f)(2)	Person	В	Child abuse — first degree	15
750.136b(f)(3)	Person	F	Child abuse — second degree	4
750.136b(f)(4)	Person	G	Child abuse — third degree	2
750.136c	Person	В	Buying or selling an individual	20
750.145b	Person	F	Accosting children for immoral purposes — subsequent offense	4
750.145c(2)	Person	В	Child sexually abusive activity or materials — active involvement	20
750.145c(3)	Person	D	Child sexually abusive activity or materials — distributing, promoting, or financing	7
750.145d(2)(b)	Variable	G	Using internet or computer to commit crime punishable by a maximum term of imprisonment of at least 1 year but less than 2 years	2
750.145d(2)(c)	Variable	F	Using internet or computer to commit crime punishable by a maximum term of imprisonment of at least 2 years but less than 4 years	4
750.145d(2)(d)	Variable	D	Using internet or computer to commit crime punishable by a maximum term of imprisonment of at least 4 years but	10
750.145d(2)(e)	Variable	С	less than 10 years Using internet or computer to commit crime punishable by a maximum term of imprisonment of at least 10 years but	15
			less than 15 years	13

750.145d(2)(f)	Variable	В	Using internet or computer to commit crime punishable by a maximum term of imprisonment of at least 15 years or	
750.145n(1)	Person	С	for life Vulnerable adult abuse —	20
750.14511(1)	1 (13011	C	first degree	15
750.145n(2)	Person	F	Vulnerable adult abuse —	
			second degree	4
750.145n(3)	Person	G	Vulnerable adult abuse —	
			third degree	2
750.1450	Person	Е	Death of vulnerable adult caused by unlicensed care- taker	5
750.145p(1)	Person	G	Vulnerable adult — commingling	3
700.140p(1)	1 (13011	a	funds, obstructing investiga-	
			tion, or filing false information	2
750.145p(2)	Person	G	Retaliation or discrimination	
•			by caregiver against vulner-	
			able adult	2
750.145p(5)	Person	E	Vulnerable adult — caregiver	
	_	_	violations — subsequent offense	5
750.147b	Person	G	Ethnic intimidation	2

⁽²⁾ For a violation of section 145d of the Michigan penal code, 1931 PA 328, MCL 750.145d, determine the offense category, offense variable level, and prior record variable level based on the underlying offense.

777.16h §§ 750.149 to 750.157w; felonies to which chapter applicable. [M.S.A. 28.1274(26h)]

Sec. 16h. This chapter applies to the following felonies enumerated in chapter 750 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
750.149	Pub saf	F	Concealing an offense punish-	
			able by life	4
750.157a(b)	Pub ord	Н	Conspiracy — gambling	5
750.157a(d)	Pub ord	G	Conspiracy to commit legal	
			act in illegal manner	5
750.157b(2)	Person	A	Solicitation of murder	Life
750.157b(3)(a)	Pub ord	E	Solicitation of felony punishable	
			by life or 5 or more years	5
750.157b(3)(b)	Pub ord	G	Solicitation of felony punishable	
			by less than 5 years	2
750.157n(1)	Property	Н	Financial transaction device —	
			stealing, retaining, or using	
			without consent	4
750.157n(2)	Property	Н	Possessing fraudulent or	
			altered financial transaction	
			device	4
750.157p	Property	Н	Possessing financial transaction	
			device without	
			permission and with intent	
			to use or sell	4

750.157q	Property	Н	Delivery or sale of fraudulent financial transaction device	4
750.157r	Property	Н	Financial transaction device — forgery, alteration, or counterfeiting	4
750.157s(1)(b)(<i>ii</i>)	Property	Н	Using revoked or canceled financial transaction device involving \$100 to \$500 with prior convictions	2
750.157s(1)(c)	Property	Н	Use of revoked or canceled financial transaction device involving \$500 or more	2
750.157t	Property	Н	Furnishing goods or services to person committing violation with financial transaction device	4
750.157u	Property	Н	Overcharging person using financial transaction device	4
750.157v	Property	Н	False statement of identity to obtain financial transaction device	4
750.157w(1)(c)	Property	Е	Fraudulently withdrawing or transferring \$1,000 to \$20,000 with financial transaction device	5
750.157w(1)(d)	Property	D	Fraudulently withdrawing or transferring \$20,000 or more with financial transaction	
			device	10

777.16i §§ 750.158 to 750.182a; felonies to which chapter applicable. [M.S.A. 28.1274(26i)]

Sec. 16i. This chapter applies to the following felonies enumerated in chapter 750 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
750.158	Pub ord	E	Sodomy	15
750.159j	Pub saf	В	Racketeering	20
750.160	Pub ord	D	Disinterring or mutilating dead human bodies	10
750.160a	Pub ord	Н	Photographing dead human bodies	2
750.161	Pub ord	G	Desertion/abandonment/non-	
			support	3
750.164	Pub ord	F	Desertion to escape prosecution	4
750.165	Pub ord	F	Failing to pay support	4
750.171	Person	E	Duelling	10
750.174(4)	Property	E	Embezzlement by agent of \$1,000 to \$20,000 with prior	۳
			convictions	5

750.174(5)	Property	D	Embezzlement by agent of \$20,000 or more or \$1,000 to \$20,000 with prior convictions	10
750.174a(4)	Property	E	Embezzlement by person in a relationship of trust with a vulnerable adult of \$1,000 to \$20,000 or with prior convictions	5
750.174a(5)	Property	D	Embezzlement by person in a relationship of trust with a vulnerable adult of \$20,000 or more or \$1,000 to \$20,000	
750.175	Pub trst	D	with prior convictions Embezzlement by public official	10
750.176	Pub trst	E	over \$50 Embezzlement by administrator/	10
750.177(2)	Property	D	executor/guardian Embezzlement by chattel mortgagor of \$20,000 or more or \$1,000 to \$20,000	10
750.177(3)	Property	Е	with prior convictions Embezzlement by chattel mortgagor of \$1,000 to \$20,000 or with prior	10
750.178(2)	Property	D	convictions Embezzlement of mortgaged or leased property of \$20,000 or more or \$1,000 to \$20,000 with	5 10
750.178(3)	Property	E	prior convictions Embezzling mortgaged or leased property with value of \$1,000 to \$20,000 or with prior convictions	5
750.179	Property	G	Embezzlement of railroad tickets	4
750.180	Property	D	Embezzlement by financial	
	_	_	institutions	20
750.181(4)	Property	Е	Embezzling jointly held property with value of \$1,000 to \$20,000 or with prior convictions	5
750.181(5)	Property	D	Embezzling jointly held property with value of \$20,000 or more or \$1,000 to \$20,000 with	
750 100	Duan out-	C	prior convictions	10
750.182 750.182a	Property Pub trst	G H	Embezzlement by warehouses Falsifying school records	4 2
, υυ. 10α	ı un tist	11	i distrying school records	~

777.16k §§ 750.200 to 750.211a; felonies to which chapter applicable. [M.S.A. 28.1274(26k)]

Sec. 16k. This chapter applies to the following felonies enumerated in chapter 750 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
750.200	Pub saf	E	Transporting an explosive by	
			common carrier	5

750.200i(2)(a)	Pub saf	C	Manufacturing or using a harmful device	15
750.200i(2)(b)	Property	В	Harmful device causing property	
750.200i(2)(c)	Person	A	damage Harmful device causing personal	20
gro 0001(0) (l)	D		injury	25
750.200i(2)(d)	Person	A	Harmful device causing serious impairment	Life
750.200j(2)(b)	Property	F	Irritant or irritant device causing property damage	4
750.200j(2)(c)	Person	D	Irritant or irritant device	_
750.200j(2)(d)	Person	Α	causing personal injury Irritant or irritant device	10
730.200J(2)(u)	1 615011	А	causing serious impairment	25
750.200j(2)(e)	Person	A	Irritant or irritant device	Life
750.201	Pub saf	Е	causing death Transporting certain types of	Life
730.201	i ub sai	Ľ	explosives	5
750.202	Pub saf	F	Shipping an explosive with false	
770.004(0)()	D 1 C	C C	markings or invoice	4
750.204(2)(a)	Pub saf	С	Sending an explosive with malicious intent	15
750.204(2)(b)	Property	В	Sending an explosive causing	10
. , , ,	1 3		property damage	20
750.204(2)(c)	Person	A	Sending an explosive causing physical injury	25
750.204(2)(d)	Person	Α	Sending an explosive causing	23
1001201(2)(u)	1 010011	• •	serious impairment	Life
750.204a	Pub saf	E	Sending or transporting an	
			imitation explosive device with malicious intent	5
750.207(2)(a)	Pub saf	С	Placing an explosive with	3
130.201 (2) (α)	i ub sai	C	malicious intent	15
750.207(2)(b)	Property	В	Placing an explosive causing	
mro 00m(0)()	.		property damage	20
750.207(2)(c)	Person	A	Placing an explosive causing physical injury	25
750.207(2)(d)	Person	A	Placing an explosive causing	20
			serious impairment	Life
750.209(1)(a)	Pub saf	С	Placing an offensive or injurious substance with intent to injure	15
750.209(1)(b)	Property	В	Placing an offensive or injurious	10
	1 3		substance causing	
770 000 (4) ()	.		property damage	20
750.209(1)(c)	Person	A	Placing an offensive or injurious substance causing physical	
			injury	25
750.209(1)(d)	Person	A	Placing an offensive or injurious	
			substance causing serious	T .0
			impairment	Life

750.209(2)	Pub saf	E	Placing an offensive or injurious substance with intent to alarm or annoy	5
750.209a	Pub saf	D	Possessing an explosive device in public place	10
750.210(2)(a)	Pub saf	C	Possessing or carrying an explosive or combustible substance with malicious intent	15
750.210(2)(b)	Property	В	Possessing or carrying an explosive or combustible substance causing property	
750.210(2)(c)	Person	A	damage Possessing or carrying an explosive or combustible substance causing physical	20
750.210(2)(d)	Person	A	injury Possessing or carrying an explosive or combustible substance causing serious impairment	25 Life
750.210a	Pub saf	Н	Sale of valerium	5
750.211a(2)(a)	Pub saf	C	Manufacturing or possessing an explosive or incendiary device	3
750.211a(2)(b)	Property	В	with malicious intent Manufacturing or possessing an explosive or incendiary device	15
750.211a(2)(c)	Person	A	causing property damage Manufacturing or possessing an explosive or incendiary device	20
750.211a(2)(d)	Person	A	causing physical injury Manufacturing or possessing an	25
			explosive or incendiary device causing serious impairment	Life
750.212a	Person	В	Explosives violation involving a vulnerable target causing death or injury	20

777.16*I* §§750.213 to 750.219f; felonies to which chapter applicable. [M.S.A. 28.1274(26*I*)]

Sec. 16 $\it l.$ This chapter applies to the following felonies enumerated in chapter 750 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
750.213	Person	В	Threats to extort money	20
750.217b	Pub saf	G	Impersonating public utility employee	2
750.217c(3)	Pub ord	Н	Impersonating public officer or employee	2
750.217c(4)	Pub ord	G	Impersonating public officer or employee — third or subse-	
			quent conviction	4

750.217d	Pub saf	C	False representation or practice as health professional	15
750.218(4)	Property	E	False pretenses involving \$1,000 to \$20,000 or	
750.218(5)	Property	D	with prior convictions False pretenses involving \$20,000 or more or \$1,000 to	5 10
750.219a(2)(c)	Property	Е	\$20,000 with prior convictions Telecommunications fraud with 1 or more prior convictions or involving a value of	
750.219a(2)(d)	Property	D	\$1,000 to \$20,000 Telecommunications fraud with 2 or more prior convictions or involving a value of	5
750.219e	Property	F	\$20,000 or more Receiving, possessing, preparing, or submitting an unauthorized credit application or receiving or possessing proceeds from an unauthorized credit application	10
750.219f	Property	F	Receiving with intent to forward, possessing with intent to forward, or forwarding an unauthorized credit application or proceeds from an unauthorized credit applica-	1
			tion to another person	4

777.16m §§ 750.223 to 750.236; felonies to which chapter applicable. [M.S.A. 28.1274(26m)]

Sec. 16m. This chapter applies to the following felonies enumerated in chapter 750 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
750.223(2)	Pub saf	F	Sale of firearm to minor — subsequent offense	4
750.223(3)	Pub ord	D	Sale of firearm to person prohibited from possessing	10
750.224	Pub saf	E	Manufacture or sale of silencer, bomb, blackjack, automatic	
			weapon, gas spray, etc.	5
750.224a	Pub saf	F	Possession or sale of electrical	
			current weapons	4
750.224b	Pub saf	E	Possession of short barreled	
			shotgun or rifle	5
750.224c	Pub saf	F	Armor piercing ammunition	4
750.224d(2)	Person	G	Using self-defense spray device	2
750.224e	Pub saf	F	Manufacture/sale/possession of devices to convert	
			semiautomatic weapons	4

750.224f	Pub saf	E	Possession or sale of firearm by felon	5
750.226	Pub saf	Е	Carrying firearm or dangerous	Ü
100.220	i ub sai		weapon with unlawful intent	5
750.227	Pub saf	E	Carrying a concealed weapon	5
750.227a	Pub saf	F	Unlawful possession of pistol	4
750.227c	Pub saf	G	Possessing a loaded firearm in	
			or upon a vehicle	2
750.227f	Pub saf	F	Wearing body armor during	
			commission of violent crime	4
750.227g(1)	Pub saf	F	Felon purchasing, owning,	
			possessing, or using body	
			armor	4
750.230	Pub saf	G	Altering ID mark on firearm	2
750.232a(3)	Pub saf	G	False statement in a pistol	
			application	4
750.234a	Pub saf	F	Discharging firearm from vehicle	4
750.234b	Pub saf	F	Discharging firearm in or at a	
			building	4
750.234c	Pub saf	F	Discharging firearm at	
			emergency/police vehicle	4
750.236	Person	C	Setting spring gun — death	
			resulting	15

777.160 §§ 750.271 to 750.313; felonies to which chapter applicable. [M.S.A. 28.1274(260)]

Sec. 16o. This chapter applies to the following felonies enumerated in chapter 750 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
750.271	Property	Е	Fraudulently issuing or selling domestic securities	10
750.272	Property	G	Sale of fraudulent stock of foreign corporations	10
750.273	Property	Е	Obtaining signature to financial document with intent to defraud	10
750.274	Property	E	Fraud — purchasing/collecting on fraudulent financial document	10
750.276	Property	G	Fraud — promise to vendee of grain at fictitious price	4
750.277	Pub trst	G	Promise to vendee of grain to sell at a fictitious price —	
			sale and transfer	4
750.278	Property	G	Fraud — warehouse receipts	5
750.279	Property	G	Fraud — disposition of exhausted property	4
750.280	Property	Е	Gross frauds/cheats at common law	10

750.282	Pub ord	G	Public utility — fraudulent use	
			over \$500	4
750.300	Pub ord	G	Animals — killing/injuring to	
			defraud insurance company	2
750.300a(1)(a)	Property	G	Food stamp fraud — \$250 or	
			less — second offense	5
	Property	G	Food stamp fraud — \$250 or	
			less — third or	
			subsequent offense	10
750.300a(1)(b)	Property	E	Food stamp fraud — more than	
	1 0		\$250 to \$1,000	5
	Property	E	Food stamp fraud — more than	
	1 0		\$250 to \$1,000 —	
			subsequent offense	10
750.300a(1)(c)	Property	E	Food stamp fraud — over \$1,000	10
750.303	Pub ord	Н	Gambling	2
750.313	Pub ord	Н	Gambling — stocks/bonds/	
			commodities	2

777.16p §§ 750.317 to 750.329; felonies to which chapter applicable. [M.S.A. 28.1274(26p)]

Sec. 16p. This chapter applies to the following felonies enumerated in chapter 750 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
750.317	Person	M2	Second degree murder	Life
750.321	Person	C	Manslaughter	15
750.322	Person	C	Willful killing of unborn quick	
			child	15
750.323	Person	C	Abortion resulting in death	15
750.324	Person	G	Negligent homicide	2
750.327	Person	A	Death by explosives on vehicle	
			or vessel	Life
750.328	Person	A	Death by explosives in or near	
			building	Life
750.329	Person	C	Homicide — weapon aimed with	
			intent but not malice	15
750.329a	Person	E	Assisting a suicide	5

777.16r §§ 750.356 to 750.374; felonies to which chapter applicable. [M.S.A. 28.1274(26r)]

Sec. 16r. This chapter applies to the following felonies enumerated in chapter 750 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
750.356(2)	Property	D	Larceny involving \$20,000 or more or with prior convictions	10
750.356(3)	Property	E	Larceny involving \$1,000 to \$20,000 or with prior convictions	5
750.356a(1)	Property	G	Larceny from a motor vehicle	5

750.356a(2)(c)	Property	E	Breaking and entering a	
			vehicle to steal \$1,000 to	
			\$20,000 or with prior	~
750.050 (0)(1)	ъ.	Б	convictions	5
750.356a(2)(d)	Property	D	Breaking and entering a vehicle	
			to steal \$20,000 or	
			more or with prior convictions	10
750 2560(2)	Duonoutre	C		10
750.356a(3)	Property	G	Breaking and entering a vehicle to steal causing	
			e	5
750 256b	Duonantri	C	damage	3
750.356b	Property	G	Breaking and entering a coin telephone	4
750.356c	Duonoutre	Б	<u>-</u>	5
	Property	E	Retail fraud — first degree	
750.357	Person	D	Larceny from the person	10
750.357a	Property	G	Larceny of livestock	4
750.357b	Property	Е	Larceny — stealing firearms of	~
750.050	ъ.	0	another	5
750.358	Property	G	Larceny from burning building	5
750.360	Property	G	Larceny in a building	4
750.361	Property	Н	Trains — stealing/maliciously	0
7 50 000	.	_	removing parts	2
750.362	Property	E	Larceny by conversion involving	
			\$1,000 to \$20,000 or with	-
	D .	Ъ	prior convictions	5
	Property	D	Larceny by conversion involving	
			\$20,000 or more or with prior	10
750 000-(0)	D	D	convictions	10
750.362a(2)	Property	D	Larceny of rental property	
			involving \$20,000 or more or	10
750 262 (2)	Duonoutre	E	with prior convictions	10
750.362a(3)	Property	Е	Larceny of rental property	
			involving \$1,000 to \$20,000	5
750 262	Duonoutre	E	or with prior convictions Larceny by false personation	3
750.363	Property	E	involving \$1,000 to	
			\$20,000 or with prior	
			convictions	5
	Property	D	Larceny by false personation	J
	Froperty	D	involving \$20,000 or more	10
750.365	Person	D	Larceny from car or persons	10
730.303	reison	D	detained or injured by accident	20
750 266	Duonoutre	C		4
750.366	Property	G	Larceny of railroad tickets	4
750.367	Property	E	Larceny of trees or shrubs	
			involving \$1,000 to \$20,000 or with prior convictions	5
	Droponty	D	<u>*</u>	J
	Property	D	Larceny of a tree or shrub	
			involving \$20,000 or more or with prior convictions	10
750 267h	Droponty	E	Airplanes — taking possession	5
750.367b	Property	Е	An planes — taking possession	J

750.368(5)	Pub ord	G	Preparing, serving, or executing unauthorized process — third or subsequent offense	4
750.372	Pub ord	Н	Running or allowing lottery	2
750.373	Pub ord	Н	Selling or possessing lottery tickets	2
750.374	Pub ord	Н	Lottery violations — subsequent offense	4

777.16s §§ 750.377a to 750.406; felonies to which chapter applicable. [M.S.A. 28.1274(26s)]

Sec. 16s. This chapter applies to the following felonies enumerated in chapter 750 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
750.377a(1)(A)	Property	D	Malicious destruction of personal property involving \$20,000 or more or with prior convictions	10
750.377a(1)(B)	Property	E	Malicious destruction of personal property involving \$1,000 to \$20,000 or with prior convictions	5
750.377b	Property	F	Malicious destruction of fire/ police property	4
750.377c	Property	E	School bus — intentional damage	5
750.378	Property	F	Malicious destruction of property - dams/canals/mills	4
750.379	Property	F	Malicious destruction of property — bridges/railroads/locks	4
750.380(2)	Property	D	Malicious destruction of building involving \$20,000 or more or with prior convictions	10
750.380(3)	Property	E	Malicious destruction of a building involving \$1,000 to \$20,000 or with prior convictions	5
750.382(1)(c)	Property	Е	Malicious destruction of plants or turf involving \$1,000 to \$20,000 or with prior conviction	
750.382(1)(d)	Property	D	Malicious destruction of plants or turf involving \$20,000 or more or with prior convictions	10
750.383a	Property	F	Malicious destruction of utility equipment	4
750.386	Property	E	Malicious destruction of mine property	20

750.387(5)	Property	Е	Malicious destruction of a tomb or memorial involving \$1,000 to \$20,000 or with prior convictions	5
750.387(6)	Property	D	Malicious destruction of a tomb or memorial involving \$20,000 or more or with prior convictions	10
750.392	Property	E	Malicious destruction of	
			property — vessels	10
750.397	Person	D	Mayhem	10
750.397a	Person	D	Placing harmful objects in food	10
750.405	Pub saf	E	Inciting soldiers to desert	5
750.406	Pub saf	E	Military stores — larceny,	
			embezzlement or destruction	5

777.16t §§ 750.410a to 750.411p; felonies to which chapter applicable. [M.S.A. 28.1274(26t)]

Sec. 16t. This chapter applies to the following felonies enumerated in chapter 750 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
750.410a	Person	G	Conspiracy to commit a person	
			to state hospital unjustly	4
750.411a(1)(b)	Pub ord	F	False report of a felony	4
750.411a(2)	Pub ord	F	False report of a bombing or	
			threat to bomb	4
750.411b	Pub trst	G	Excess fees to members of	
	_	_	legislature	4
750.411h(2)(b)	Person	E	Stalking of a minor	5
750.411i(3)(a)	Person	E	Aggravated stalking	5
750.411i(3)(b)	Person	D	Aggravated stalking of a minor	10
750.411 <i>I</i>	Pub ord	Н	Money laundering — fourth	
			degree	2
750.411m	Pub ord	E	Money laundering — third	
			degree	5
750.411n	Pub ord	D	Money laundering — second	
			degree	10
750.411o	Pub ord	В	Money laundering — first	
			degree	20
750.411p(2)(a)	Property	В	Money laundering of proceeds	
			from controlled substance	
			offense involving \$10,000 or	
			more	20
750.411p(2)(b)	Property	D	Money laundering of proceeds	
			from controlled substance	
			offense or other proceeds	
			involving \$10,000 or more	10
750.411p(2)(c)	Property	E	Money laundering — trans-	
			actions involving represented	
			proceeds	5

777.16u §§ 750.413 to 750.421b; felonies to which chapter applicable. [M.S.A. 28.1274(26u)]

Sec. 16u. This chapter applies to the following felonies enumerated in chapter 750 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
750.413	Property	E	Unlawful driving away of an automobile	5
750.414	Property	Н	Unlawful use of an automobile	2
750.415(2)	Property	G	Motor vehicles — conceal/misrep- resent identity with intent to mislead	4
750.415(5)	Property	G	Motor vehicles — buy/sell/ exchange/give away paraphernalia capable of changing/misrepresenting identity	4
750.415(6)	Property	Е	Motor vehicles — buy/receive/ obtain a motor vehicle or motor vehicle part with intent to sell or dispose knowing the VIN has been removed or altered	10
750.417	Property	Н	Motor vehicle — mortgaged — removal from state	4
750.418	Property	Н	Removing a vehicle out of state without vendor's consent	4
750.420	Pub saf	Н	Motor vehicle — equipping to release smoke/gas	4
750.421	Pub saf	Н	Motor vehicle — designed for attack	5
750.421b	Pub saf	Н	Hinder transport of farm/ commercial products — subsequent offense	2

777.16v §§ 750.422 to 750.443; felonies to which chapter applicable. [M.S.A. 28.1274(26v)]

Sec. 16v. This chapter applies to the following felonies enumerated in chapter 750 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
750.422	Pub trst	С	Perjury committed in court — noncapital crime	15
	Pub trst	В	Perjury committed in court — capital crime	Life
750.423	Pub trst	E	Perjury by falsely swearing	15
750.424	Pub trst	C	Subornation of perjury	15
750.425	Pub trst	E	Inciting or procuring perjury but perjury not committed	5
750.430a	Person	D	Human cloning	10
750.436(1)	Person	E	Poisoning food/drink/wells	5

750.436(2)	Person	A	Poison — food/drink/medicine/ wells — large amounts	
			injury	Life
750.436(3)	Pub saf	Н	Poison — Malicious false	
			statement of poisoning	2
750.439	Pub ord	G	Polygamy	4
750.440	Pub ord	G	Polygamy — knowingly	
			entering a prohibited	
			marriage	4
750.441	Pub ord	G	Teaching or advocating polygamy	4
750.442	Pub ord	G	Participating in prizefights	4
750.443	Pub ord	G	Prizefights — training	4

777.16w §§ 750.451 to 750.459; felonies to which chapter applicable. [M.S.A. 28.1274(26w)]

Sec. 16w. This chapter applies to the following felonies enumerated in chapter 750 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
750.451	Pub ord	G	Prostitution — various	
			offenses — third or	
			subsequent offense	2
750.452	Pub ord	E	Keeping a house of prostitution	5
750.455	Pub ord	G	Pandering	20
750.456	Person	В	Placing spouse into prostitution	20
750.457	Pub ord	G	Accepting earnings of a prostitute	20
750.458	Person	В	Prostitution — detaining female	
			for debt	20
750.459	Person	В	Transporting a female for	
			prostitution	20

777.16x §§ 750.478a to 750.517; felonies to which chapter applicable. [M.S.A. 28.1274(26x)]

Sec. 16x. This chapter applies to the following felonies enumerated in chapter 750 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
750.478a(2)	Pub ord	Н	Unauthorized process to obstruct a public officer	
750.478a(3)	Pub ord	G	or employee Unauthorized process to	2
730.476a(3)	1 ub oru	ď	obstruct a public officer or employee — subsequent	
			offense	4
750.479	Person	G	Resisting or obstructing a peace officer	2
750.479a(2)	Pub saf	G	Fleeing and eluding — fourth degree	2
750.479a(3)	Pub saf	E	Fleeing and eluding — third degree	5
750.479a(4)	Person	D	Fleeing and eluding — second degree	10

750.479a(5)	Person	C	Fleeing and eluding —	1.5
750 470 (0)	D		first degree	15
750.479a(6)	Person	H	Assaulting peace officer	2
750.479b(1)	Person	F	Disarming peace officer —	
			nonfirearm	4
750.479b(2)	Person	D	Disarming peace officer —	
			firearm	10
750.480	Pub trst	F	Public officers — refusing to	
			turn over books/money	
			to successor	4
750.488	Pub trst	Н	Public officers — state	
			official — retaining fees	2
750.490	Pub trst	Н	Public money — safekeeping	2
750.491	Pub trst	Н	Public records —	
			removal/mutilation/destruction	2
750.492a(1)(a)	Pub trst	G	Medical record — intentional	
			place false information —	
			health care provider	4
750.492a(2)	Pub trst	G	Medical record — health care	
			provider alter conceal	
			injury/death	4
750.495a(2)	Person	F	Concealing objects in trees or	
			wood products —	
			causing injury	4
750.495a(3)	Person	С	Concealing objects in trees or	
			wood products —	
			causing death	15
750.505	Pub ord	E	Common law offenses	5
750.511	Person	Α	Blocking or wrecking railroad	
			track	Life
750.512	Property	E	Uncoupling railroad cars	10
750.513	Property	Н	Issuing fraudulent railroad	
	T J		securities	10
750.514	Property	Н	Seizing locomotive with mail car	10
750.516	Person	C	Stopping train to rob	Life
750.517	Person	C	Boarding train to rob	Life
100.011	1 (15011		Domaing trum to 100	Liic

777.16y §§ 750.520b to 750.532; felonies to which chapter applicable. [M.S.A. 28.1274(26y)]

Sec. 16y. This chapter applies to the following felonies enumerated in chapter 750 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
750.520b	Person	A	First degree criminal sexual conduct	Life
750.520c	Person	С	Second degree criminal sexual conduct	15
750.520d	Person	В	Third degree criminal sexual	13
70010204	1 015011	2	conduct	15
750.520e	Person	G	Fourth degree criminal sexual	
			conduct	2

750.520g(1)	Person	D	Assault with intent to commit sexual penetration	10
750.520g(2)	Person	E	Assault with intent to commit sexual contact	5
750.528	Pub saf	F	Destroying dwelling house or other property	4
750.528a	Pub saf	F	Civil disorders — firearms/ explosives	4
750.529	Person	A	Armed robbery	Life
750.529a	Person	A	Carjacking	Life
750.530	Person	C	Unarmed robbery	15
750.531	Person	C	Bank robbery/safebreaking	Life
750.532	Person	Н	Seduction	5

777.16z §§ 750.535 to 750.552b; felonies to which chapter applicable. [M.S.A. 28.1274(26z)]

Sec. 16z. This chapter applies to the following felonies enumerated in chapter 750 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
750.535(2)	Property	D	Receiving or concealing stolen property having a value of \$20,000 or more or with prior convictions	10
750.535(3)	Property	E	Receiving or concealing stolen property having a value of \$1,000 to \$20,000 or with prior convictions	5
750.535a(2)	Pub ord	D	Operating a chop shop	10
750.535a(3)	Pub ord	D	Operating a chop shop, subsequent violation	10
750.535b	Pub saf	Е	Stolen firearms or ammunition	10
750.539c	Pub ord	H	Eavesdropping	2
750.539d	Pub ord	Н	Installing eavesdropping device	2
750.539e	Pub ord	Н	Divulging or using information obtained by eavesdropping	2
750.539f	Pub ord	Н	Manufacture or possession of eavesdropping device	2
750.540	Pub ord	Н	Tapping or cutting telephone lines	2
750.540c(3)	Property	F	Manufacturing or delivering a counterfeit communications device	4
750.540f(2)	Property	Е	Knowingly publishing a communications access device with prior convictions	5
750.540g(1)(c)	Property	Е	Diverting telecommunications services having a value of \$1,000 to \$20,000 or with	-
			prior convictions	5

750.540g(1)(d)	Property	D	Diverting telecommunications services having a value of \$20,000 or more or with	
			prior convictions	10
750.545	Pub ord	E	Misprision of treason	5
750.552b	Property	F	Trespassing on correctional	
	1 0		facility property	4

777.17 §§ 752.191 to 801.263; felonies to which chapter applicable. [M.S.A. 28.1274(27)]

Sec. 17. (1) This chapter applies to the following felonies enumerated in chapters 751 to 830 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
752.191	Pub saf	G	Felonious driving	2
752.365(3)	Pub ord	G	Obscenity — subsequent offense	2
752.541	Pub saf	D	Riot	10
752.542	Pub saf	D	Incitement to riot	10
752.542a	Pub saf	D	Riot in state correctional facilities	10
752.543	Pub saf	G	Unlawful assembly	5
752.797(1)(c)	Property	E	Computer fraud — 2 prior convictions or value of \$1,000 to \$20,000	5
752.797(1)(d)	Property	D	Computer fraud — 3 or more prior convictions or value of \$20,000 or more	10
752.797(2)(a)	Property	E	Unlawfully accessing computer, computer system, or computer	
752.797(2)(b)	Property	D	program Unlawfully accessing computer, computer system, or computer	5
752.797(3)(b)	Variable	G	program, with prior conviction Using computer to commit crime punishable by a maximum	10
752.797(3)(c)	Variable	F	term of imprisonment of more than 1 year but less than 2 year Using computer to commit crime punishable by a maximum term of imprisonment of at least 2	
752.797(3)(d)	Variable	D	years but less than 4 years Using computer to commit crime	4
			punishable by a maximum term of imprisonment of at least 4 years but less than 10 years	7
752.797(3)(e)	Variable	D	Using computer to commit crime punishable by a maximum term of imprisonment of at least 10 years but less than 20 years	10
752.797(3)(f)	Variable	В	Using computer to commit crime punishable by a maximum term of imprisonment of at least 20	1
			years or for life	20

752.802	Property	Н	Vending machines — manu-	-
750.011	D (facture/sale of slugs	5
752.811	Property	Н	Breaking and entering a coin	0
770.001	D	0	operated device	3
752.861	Person	G	Careless discharge of firearm	2
752.881	Person	G	causing injury or death Reckless use of bow and arrow	۵
132.001	Person	G	resulting in injury or death	2
752.1003	Property	F	Health care fraud — false	۵
752.1005	Troperty	1.	claim/state, unnecessary,	
			conceal information	4
752.1004	Property	F	Health care fraud — kickbacks/	
			referral fees	4
752.1005	Property	Н	Health care fraud — conspiracy	10
752.1006	Property	D	Health care fraud — subsequent	
	1 3		offense	20
752.1054(2)	Property	G	Copying audio/video recordings	
			for gain	5
764.1e	Pub trst	C	Peace officer — false statement	
			in a complaint	15
767.4a	Pub trst	F	Disclosing or possessing grand	
			jury information	4
767a.9(a)	Pub trst	C	Perjury committed in prosecutor's	
			investigative hearing —	4 =
707 0(1)	D.L.	ъ	noncapital crime	15
767a.9(b)	Pub trst	В	Perjury committed in prosecutor's	
			investigative hearing —	Life
800.281(1)	Pub saf	Н	capital crime Furnishing prisoner with	Life
000.201(1)	r ub Sai	11	contraband	5
800.281(2)	Pub saf	Н	Furnishing prisoner with	Ü
000.201(2)	i do sai		contraband outside	5
800.281(3)	Pub saf	Н	Bringing contraband into prisons	5
800.281(4)	Pub saf	E	Prisoner possessing contraband	5
800.283(1)	Pub saf	E	Furnishing weapon to prisoner	
,			in prison	5
800.283(2)	Pub saf	E	Prisons — knowledge of a	
			weapon in a correctional	
			facility	5
800.283(3)	Pub saf	E	Bringing weapon into prison	5
800.283(4)	Pub saf	E	Prisoner possessing weapon	5
801.262(1)(a)	Pub saf	E	Bringing weapon into jail	5
801.262(1)(b)	Pub saf	E	Furnishing weapon to prisoner	_
004 000(0)	D 1 0	_	in jail	5
801.262(2)	Pub saf	Е	Prisoner in jail possessing	٣
001 969/1)	Dub asf	11	weapon	5
801.263(1)	Pub saf	Н	Furnishing contraband to prisoner in jail	5
801.263(2)	Pub saf	Н	Prisoner in jail possessing	J
001.200(2)	i ub sai	11	contraband	5
			Contrabana	3

(2) For a violation of section 797(3)(b), (c), (d), (e), or (f) of 1979 PA 53, MCL 752.797, determine the offense category, offense variable level, and prior record variable level based on the underlying offense.

777.18 Additional felonies to which chapter applicable. [M.S.A. 28.1274(28)]

Sec. 18. This chapter applies to the following felonies:

M.C.L.	Category	Description	Stat Max
333.7410	CS	Controlled substance offense	
		on or near school property	Variable
333.7413(2) or (3)	Pub trst	Subsequent controlled	
		substance violations	Variable
333.7416(1)(a)	CS	Recruiting or inducing a minor	
		to commit a controlled	
		substance felony	Variable
750.157a(a)	Pub saf	Conspiracy	Variable
750.157c	Person	Inducing minor to commit a	
		felony	Variable
750.188	Pub ord	Voluntarily suffering prisoner	
		to escape	Variable
750.237a	Pub saf	Felony committed in a weapon-	
		free school zone	Variable
750.367a	Property	Larceny of rationed goods	Variable

777.19 Attempt to commit offense; applicability of chapter. [M.S.A. 28.1274(29)]

- Sec. 19. (1) This chapter applies to an attempt to commit an offense enumerated in this part if the attempted violation is a felony. This chapter does not apply to an attempt to commit a class H offense enumerated in this part.
- (2) For an attempt to commit an offense enumerated in this part, the offense category is the same as the attempted offense.
- (3) For an attempt to commit an offense enumerated in this part, the offense class is as follows:
 - (a) Class E if the attempted offense is in class A, B, C, or D.
 - (b) Class H if the attempted offense is in class E, F, or G.
- 777.21 Minimum sentence range; determination. [M.S.A. 28.1274(31)]
- Sec. 21. (1) For an offense enumerated in part 2 of this chapter, determine the recommended minimum sentence range as follows:
- (a) Find the offense category for the offense from part 2 of this chapter. From section 22 of this chapter, determine the offense variables to be scored for that offense category and score only those offense variables for the offender as provided in part 4 of this chapter. Total those points to determine the offender's offense variable level.
- (b) Score all prior record variables for the offender as provided in part 5 of this chapter. Total those points to determine the offender's prior record variable level.
- (c) Find the offense class for the offense from part 2 of this chapter. Using the sentencing grid for that offense class in part 6 of this chapter, determine the recommended minimum sentence range from the intersection of the offender's offense variable level and

prior record variable level. The recommended minimum sentence within a sentencing grid is shown as a range of months or life.

- (2) If the defendant was convicted of multiple offenses, subject to section 14 of chapter IX, score each offense as provided in this part.
- (3) If the offender is being sentenced under section 10, 11, or 12 of chapter IX, determine the offense category, offense class, offense variable level, and prior record variable level based on the underlying offense. To determine the recommended minimum sentence range, increase the upper limit of the recommended minimum sentence range determined under part 6 for the underlying offense as follows:
 - (a) If the offender is being sentenced for a second felony, 25%.
 - (b) If the offender is being sentenced for a third felony, 50%.
 - (c) If the offender is being sentenced for a fourth or subsequent felony, 100%.
- (4) If the offender is being sentenced for a violation described in section 18 of this chapter, determine the offense class, offense variable level, and prior record variable level based on the underlying offense.
- (5) If the offender is being sentenced for an attempted felony described in section 19 of this chapter, determine the offense variable level and prior record variable level based on the underlying attempted offense.

777.22 Offense variables; scoring. [M.S.A. 28.1274(32)]

- Sec. 22. (1) For all crimes against a person, score offense variables 1, 2, 3, 4, 7, 8, 9, 10, 11, 12, 13, 14, and 19. Score offense variables 5 and 6 for homicide, attempted homicide, or assault with intent to commit murder. Score offense variable 16 under this subsection for a violation or attempted violation of section 110a of the Michigan penal code, 1931 PA 328, MCL 750.110a. Score offense variables 17 and 18 if an element of the offense or attempted offense involves the operation of a vehicle, vessel, ORV, snowmobile, aircraft, or locomotive.
- (2) For all crimes against property, score offense variables 1, 2, 3, 4, 9, 10, 12, 13, 14, 16, and 19.
- (3) For all crimes involving a controlled substance, score offense variables 1, 2, 3, 12, 13, 14, 15, and 19.
- (4) For all crimes against public order and all crimes against public trust, score offense variables 1, 3, 4, 9, 10, 12, 13, 14, 16, and 19.
- (5) For all crimes against public safety, score offense variables 1, 3, 4, 9, 10, 12, 13, 14, 16, and 19. Score offense variable 18 if an element of the offense or attempted offense involves the operation of a vehicle, vessel, ORV, snowmobile, aircraft, or locomotive.

777.33 Physical injury to victim. [M.S.A. 28.1274(43)]

Sec. 33. (1) Offense variable 3 is physical injury to a victim. Score offense variable 3 by determining which of the following apply and by assigning the number of points attributable to the one that has the highest number of points:

(a) A victim was killed	100 points
(b) A victim was killed	35 points
(c) Life threatening or permanent incapacitating injury occurred to	
a victim	25 points
(d) Bodily injury requiring medical treatment occurred to a victim	10 points

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(e) Bodily injury not requiring medical treatment occurred to a	5 points
victim(f) No physical injury occurred to a victim	0 points
(2) All of the following apply to scoring offense variable 3:	o pomes
(a) In multiple offender cases, if 1 offender is assessed points for death injury, all offenders shall be assessed the same number of points.	or physical
(b) Score 100 points if death results from the commission of a crime and how the sentencing offense.	nicide is not
(c) Score 35 points if death results from the commission of a crime and the the offense or attempted offense involve the operation of a vehicle, ve snowmobile, aircraft, or locomotive under the influence or while impaired cause	essel, ORV,
(d) Do not score 5 points if bodily injury is an element of the sentencing of	ffense.
(3) As used in this section, "requiring medical treatment" refers to the n treatment and not the victim's success in obtaining treatment.	ecessity for
777.35 Psychological injury to member of victim's family. [M.S.A. 28.1274(45)]	
Sec. 35. (1) Offense variable 5 is psychological injury to a member of a vict Score offense variable 5 by determining which of the following apply and by as number of points attributable to the one that has the highest number of points	ssigning the
(a) Serious psychological injury requiring professional treatment occurred to a victim's family	15 points
(b) No serious psychological injury requiring professional treatment occurred to a victim's family	0 points
(2) Score 15 points if the serious psychological injury to the victim's family professional treatment. In making this determination, the fact that treatment been sought is not conclusive.	
777.43 Continuing pattern of criminal behavior. [M.S.A. 28.	1274(53)]
Sec. 43. (1) Offense variable 13 is continuing pattern of criminal behavior. So variable 13 by determining which of the following apply and by assigning the points attributable to the one that has the highest number of points:	core offense
(a) The offense was part of a pattern of felonious criminal activity involving 3 or more sexual penetrations against a person or persons less than 13 years of age	50 points
(b) The offense was part of a pattern of felonious criminal activity involving 3 or more crimes against a person	25 points
(c) The offense was part of a pattern of felonious criminal activity involving a combination of 3 or more crimes against a person or	10 nointa
(d) The offense was part of a pattern of felonious criminal activity directly related to membership in an organized criminal group	10 points 10 points
(e) The offense was part of a pattern of felonious criminal activity	to politis
involving 3 or more crimes against property	5 points

 $(f)\ No\ pattern\ of\ felonious\ criminal\ activity\ existed.....$

0 points

- (2) All of the following apply to scoring offense variable 13:
- (a) For determining the appropriate points under this variable, all crimes within a 5-year period, including the sentencing offense, shall be counted regardless of whether the offense resulted in a conviction.
- (b) The presence or absence of multiple offenders, the age of the offenders, or the degree of sophistication of the organized criminal group is not as important as the fact of the group's existence, which may be reasonably inferred from the facts surrounding the sentencing offense.
- (c) Except for offenses related to membership in an organized criminal group, do not score conduct scored in offense variable 11 or 12.
- (d) Score 50 points only if the sentencing offense is first degree criminal sexual conduct.

777.48 Operator ability affected by alcohol or drugs. [M.S.A. 28.1274(58)]

- Sec. 48. (1) Offense variable 18 is operator ability affected by alcohol or drugs. Score offense variable 18 by determining which of the following apply and by assigning the number of points attributable to the one that has the highest number of points:
- (a) The offender operated a vehicle, vessel, ORV, snowmobile, aircraft, or locomotive when his or her bodily alcohol content was 0.20 grams or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine......

20 points

(b) The offender operated a vehicle, vessel, ORV, snowmobile, aircraft, or locomotive when his or her bodily alcohol content was 0.15 grams or more but less than 0.20 grams per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine

15 points

(c) The offender operated a vehicle, vessel, ORV, snowmobile, aircraft, or locomotive when his or her bodily alcohol content was 0.10 grams or more but less than 0.15 grams per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine, or while he or she was under the influence of intoxicating liquor or a controlled substance or a combination of intoxicating liquor and a controlled substance......

10 points

(d) The offender operated a vehicle, vessel, ORV, snowmobile, aircraft, or locomotive when his or her bodily alcohol content was 0.07 grams or more but less than 0.10 grams per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine, or while he or she was visibly impaired by the use of intoxicating liquor or a controlled substance or a combination of intoxicating liquor and a controlled substance, or was less than 21 years of age and had any bodily alcohol content

5 points

(e) The offender's ability to operate a vehicle, vessel, ORV, snowmobile, aircraft, or locomotive was not affected by an intoxicating liquor or a controlled substance or a combination of intoxicating liquor and a controlled substance......

0 points

- (2) As used in this section, "any bodily alcohol content" means either of the following:
- (a) An alcohol content of not less than 0.02 grams or more than 0.07 grams per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine.

(b) Any presence of alcohol within an individual's body resulting from the consumption of intoxicating liquor other than the consumption of intoxicating liquor as part of a generally recognized religious service or ceremony.

777.54 Prior low severity juvenile adjudications. [M.S.A. 28.1274(64)]

Sec. 54. (1) Prior record variable 4 is prior low severity juvenile adjudications. Score prior record variable 4 by determining which of the following apply and by assigning the number of points attributable to the one that has the highest number of points:

(a) The offender has 6 or more prior low severity juvenile adjudica-	
tions	20 points
(b) The offender has 5 prior low severity juvenile adjudications	15 points
(c) The offender has 3 or 4 prior low severity juvenile adjudications	10 points
(d) The offender has 2 prior low severity juvenile adjudications	5 points
(e) The offender has 1 prior low severity juvenile adjudication	2 points
(f) The offender has no prior low severity juvenile adjudications	0 points

(2) As used in this section, "prior low severity juvenile adjudication" means a juvenile adjudication for conduct that would be a crime listed in offense class E, F, G, or H if committed by an adult or for conduct that would be a felony under a law of the United States or another state corresponding to a crime listed in offense class E, F, G, or H if committed by an adult, if the order of disposition was entered before the sentencing offense was committed.

777.55 Prior misdemeanor convictions or prior misdemeanor juvenile adjudications. [M.S.A. 28.1274(65)]

Sec. 55. (1) Prior record variable 5 is prior misdemeanor convictions or prior misdemeanor juvenile adjudications. Score prior record variable 5 by determining which of the following apply and by assigning the number of points attributable to the one that has the highest number of points:

(a) The offender has 7 or more prior misdemeanor convictions or prior misdemeanor juvenile adjudications	20 points
(b) The offender has 5 or 6 prior misdemeanor convictions or prior misdemeanor juvenile adjudications	15 points
(c) The offender has 3 or 4 prior misdemeanor convictions or prior misdemeanor juvenile adjudications	10 points
(d) The offender has 2 prior misdemeanor convictions or prior misdemeanor juvenile adjudications	5 points
(e) The offender has 1 prior misdemeanor conviction or prior misdemeanor juvenile adjudication	2 points
(f) The offender has no prior misdemeanor convictions or prior misdemeanor juvenile adjudications	0 points
(2) All of the following apply to scoring record variable 5:	

(a) Except as provided in subdivision (b), count a prior misdemeanor conviction or prior misdemeanor juvenile adjudication only if it is an offense against a person or property, a controlled substance offense, or a weapon offense. Do not count a prior conviction used to enhance the sentencing offense to a felony.

- (b) Count all prior misdemeanor convictions and prior misdemeanor juvenile adjudications for operating or attempting to operate a vehicle, vessel, ORV, snowmobile, aircraft, or locomotive while under the influence of or impaired by alcohol, a controlled substance, or a combination of alcohol and a controlled substance. Do not count a prior conviction used to enhance the sentencing offense to a felony.
 - (3) As used in this section:
- (a) "Prior misdemeanor conviction" means a conviction for a misdemeanor under a law of this state, a political subdivision of this state, another state, a political subdivision of another state, or the United States if the conviction was entered before the sentencing offense was committed.
- (b) "Prior misdemeanor juvenile adjudication" means a juvenile adjudication for conduct that if committed by an adult would be a misdemeanor under a law of this state, a political subdivision of this state, another state, a political subdivision of another state, or the United States if the order of disposition was entered before the sentencing offense was committed.

Effective date.

Enacting section 1. This amendatory act takes effect October 1, 2000.

This act is ordered to take immediate effect.

Approved July 7, 2000.

Filed with Secretary of State July 10, 2000.